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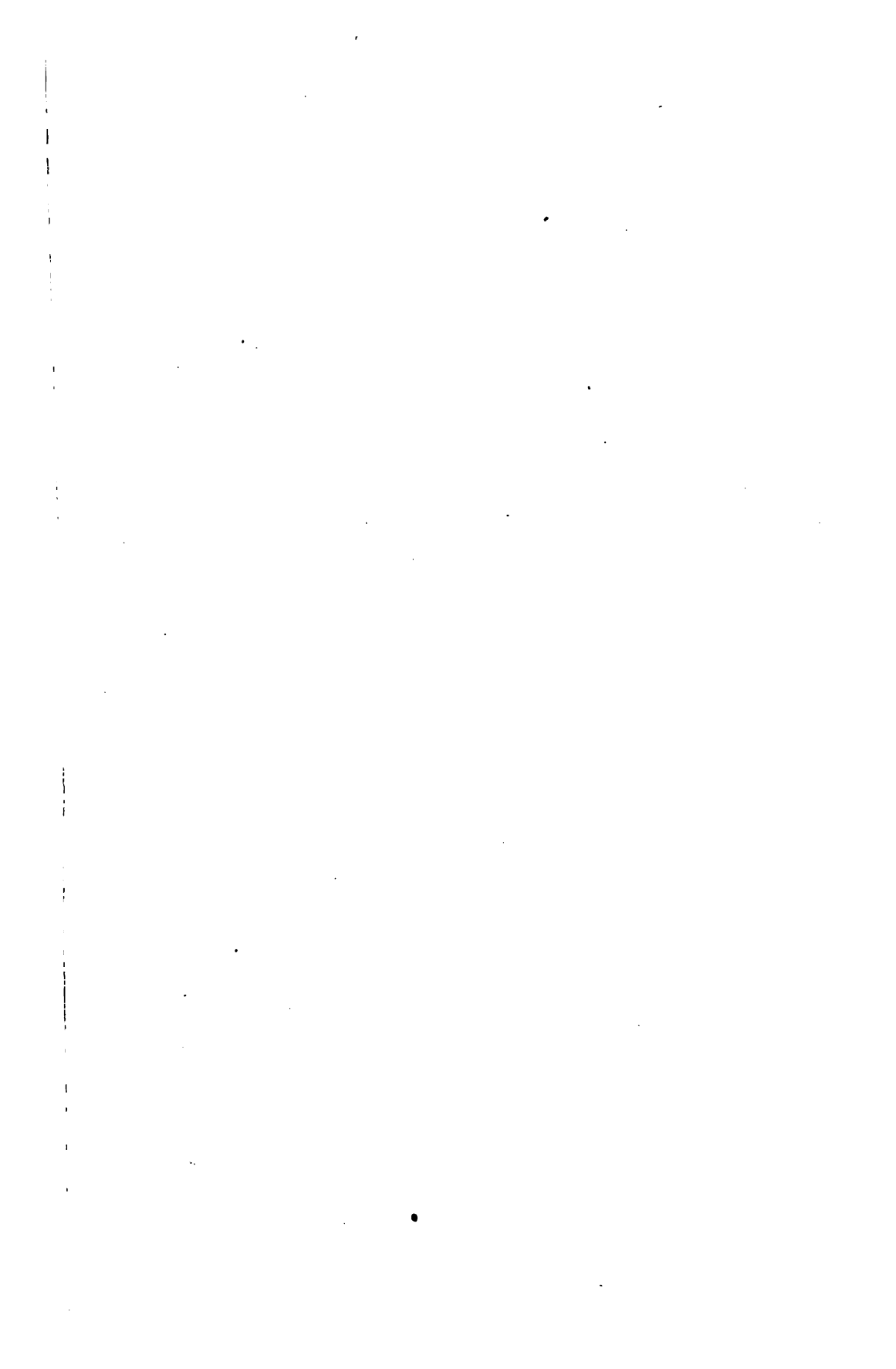
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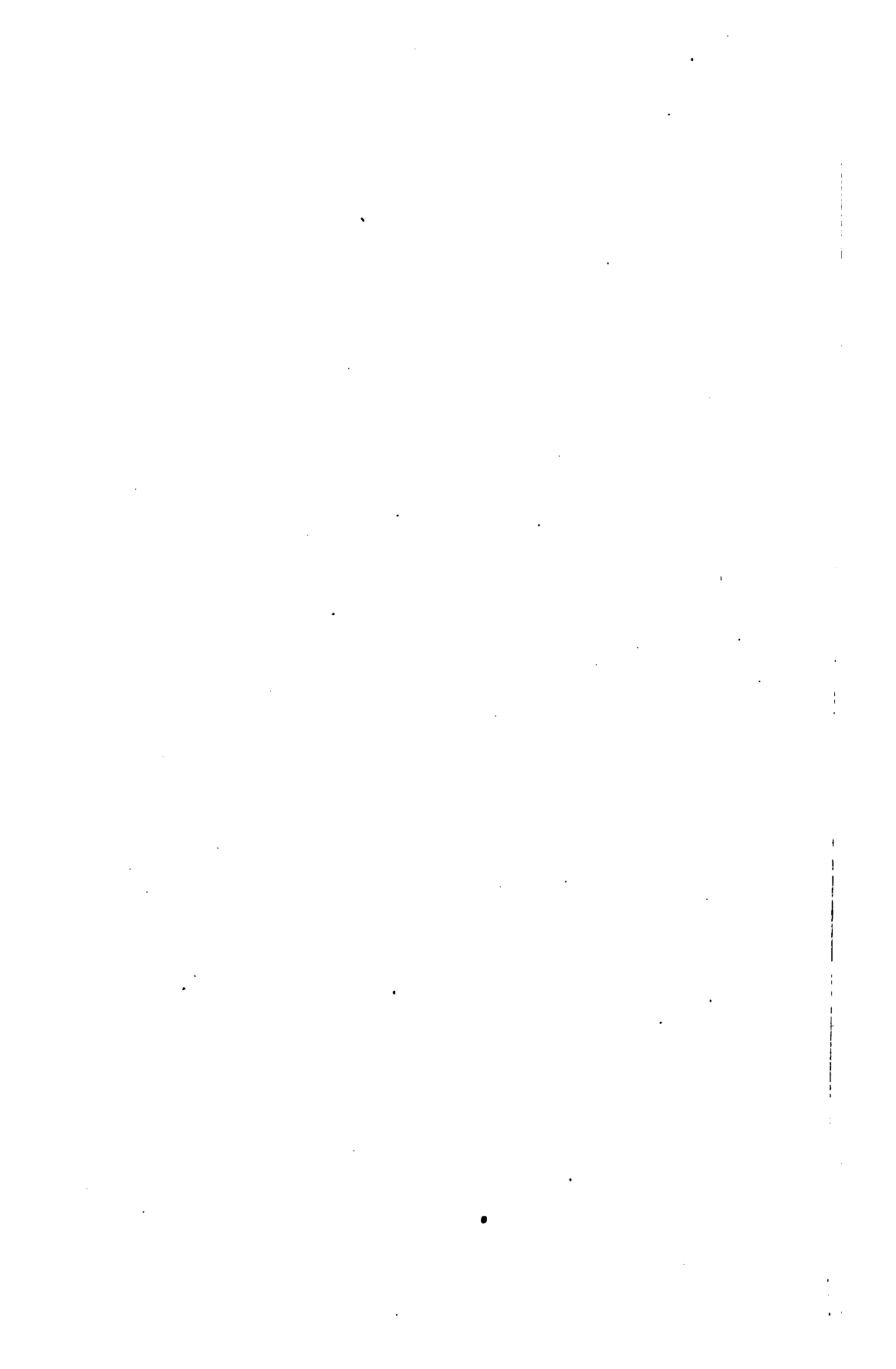
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HEARINGS

ON

HOUSE RESOLUTION NO. 179

AUTHORIZING THE COMMITTEE ON LABOR TO INVESTIGATE
CONDITIONS EXISTING IN THE WESTMORELAND
COAL FIELDS OF PENNSYLVANIA

U. S. Congress June
HEARINGS HELD BEFORE THE COMMITTEE
ON RULES, HOUSE OF REPRESENTATIVES *106*

MAY 31, 1911

COMMITTEE ON RULES

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THOS. W. HARDWICK
AUGUSTUS O. STANLEY
FINIS J. GARRETT
MARTIN D. FOSTER

MATT R. DENVER
JOHN DALZELL
WM. W. WILSON
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Mr. WILSON. There is a scale of prices for other classes of dead work, such as the removal of rock, and so on, and the prices for that are specifically named in the scale.

Mr. FOSTER. That is in the Pittsburgh field?

Mr. WILSON. Yes. In the Westmoreland field there is no scale of wages for dead work.

Mr. FOSTER. And nothing paid for it?

Mr. WILSON. Nothing paid for this incidental labor.

Mr. FOSTER. I know you are a practical coal man, and I wish before you get through you would explain the conditions as they differ between the two regions in mining, if there is any difference.

Mr. WILSON. I will, to some extent, refer you to that. In both fields there is a great deal of machine mining; that is, in the Pittsburgh field proper there is a very large percentage of machine mining. In the Irwin district of the Westmoreland field there is considerable machine mining. In the Greensburg portion of the Westmoreland field there is little or no machine mining. The wages paid for machine mining in the Irwin part of the Westmoreland field vary considerably. There is no uniform price, and the highest price that is paid is very much lower in proportion than the rates on pick mining.

The vein of coal operated in the Pittsburgh field and in the Irwin and Greensburg field is identical. They are operating what is known as the Pittsburgh seam of coal. There are some variations in the physical conditions of the vein, as there usually is in the same vein at different points.

Mr. FOSTER. This Greensburg is in the Westmoreland field?

Mr. WILSON. Greensburg is in the Westmoreland field and lies closer, however, to the coking part of the Pittsburgh coal vein than the Irwin field does. The Irwin field lies between the Pittsburgh field proper and the Greensburg field, and the Greensburg field, on the other hand, lies between the Irwin field and the coking region on the north end of it.

Mr. FOSTER. So that the conditions in the Greensburg field and in the Pittsburgh field are similar?

Mr. WILSON. Yes; very similar. The physical structure of the coal is somewhat different. In the Pittsburgh region proper it is of a somewhat harder nature than it is in these other fields, growing somewhat softer in its physical construction as it passes eastward. However, in every other respect the vein is very much the same.

It was not, however, the difference in the wage rate which led to the strike. As I have stated, the Westmoreland field is a nonunion field. In the latter part of February or the beginning of March some of the men in the Westmoreland field conceived the idea that they ought to organize, and they sent a committee to wait upon the officials of the trade union—the officials of the United Mine Workers—at Pittsburgh, asking those officials to come into the Westmoreland field and organize the men in that field. On the 4th of March a meeting was held for that purpose, and some four or five hundred men who attended the meeting, being the first one held in the region, joined the union. Immediately thereafter in the neighborhood of 100 of those men were discharged. The dismissal of those 100 men precipitated the strike.

Mr. HARDWICK. What was the reason given for that?

Mr. WILSON. Because they did not want them. Under the laws of the State of Pennsylvania no employer is permitted to discharge

an employee for the reason that he has joined a trade union. As to whether the law would hold good or not if tested in the courts I do not know; I do not know of a case in which it has been tested.

Mr. HARDWICK. The courts in our State tested that law and held it was not good.

Mr. WILSON. But the law is there, and rather than take the chances of its being affirmed the employers have been very careful not to discharge men for joining the union. But if they do not want a man because he is a member of a union, they can simply discharge him for any other reason, or for no reason.

Mr. HARDWICK. I understand that, but I was just trying to get at what reason they professed to have.

Mr. WILSON. The reason they professed was that they did not want the men.

Mr. HARDWICK. Did not need them?

Mr. WILSON. Privately they may have told a man here and there that his membership in the union was responsible for his not being wanted; but publicly and usually it was simply because they did not want the men.

Mr. HARDWICK. Did they get other men to take their places, or just cut their force that much?

Mr. WILSON. They cut the force this much, and immediately meetings of the men were held, and they decided at those meetings that they would insist upon the reinstatement of those men who had been dismissed, and then, when it came to the point that it was necessary for them to strike in order to enforce their position, if they could, they concluded that, in addition to insisting upon those men being restored, they would also insist upon being paid the same rate of wages for mining the coal, with the same conditions existing as existed in the Pittsburg field. I may state, in addition to what I have stated before, that in the Pittsburg field proper the day's labor is 8 hours per day, by virtue of a contract entered into between the employers and the employees; that in the Irwin field the day's labor is generally 10 hours per day, although I am informed that there are some instances where it has been 9 hours per day.

Mr. DALZELL. How many companies are operating in this Westmoreland region?

Mr. WILSON. I do not know the exact number. There are four or five large companies operating in the field, and the number of men employed in the field I think is approximately 20,000.

Mr. DALZELL. Were these 100 men all discharged by the same company?

Mr. WILSON. The hundred men I have reference to were discharged by the Keystone Coal Co.

Mr. HARDWICK. Did they profess to make this a reduction in the force, or did they discharge 100 men and hire 100 more? What was the fact?

Mr. WILSON. There was no time between the dismissal of the 100 men and the cessation of work for the hiring of 100 more. They undoubtedly would have hired 100 more to replace these.

Mr. HARDWICK. They had to have the help?

Mr. WILSON. Beyond question, at the time, they had to have them.

Mr. HARDWICK. But the strike came on?

Mr. WILSON. Yes. We ask that an investigation may be had into this situation, first, because it is alleged that a condition of peonage has existed, and does exist, growing out of the strike. The coal operators, as a matter of course, undertook to fill the places of the striking workmen with strike breakers. In that purpose there has been considerable success. They have filled the places of those men partially with strike breakers. The allegation is made that numbers of those men who are working there as strike breakers are being held there against their will. Of that I have no personal knowledge.

Mr. HARDWICK. Is there any evidence to support that allegation?

Mr. WILSON. I expect to be able to present to this committee to-day evidence to support that allegation.

Mr. HARDWICK. In other words, that the statutes of the United States are being violated?

Mr. WILSON. That the statutes of the United States are being violated in that respect.

Mr. GARRETT. Do you know whether that matter has been brought to the attention of the Department of Justice?

Mr. WILSON. I do not know. I have not brought it to the attention of the department.

Mr. HARDWICK. Has there been any effort to indict these people in that district?

Mr. WILSON. There have been no indictments.

Mr. HARDWICK. Has there been any effort to get before the grand jury with the proposition?

Mr. WILSON. No; there has been no effort to get before the grand jury with the proposition.

Mr. HARDWICK. Of course, the legal remedy is complete.

Mr. WILSON. So far as this peonage is concerned, there are legal remedies, if you are in a position to apply the legal remedies. Of course, a large body of workingmen are not always in a position to apply legal remedies, and there is always a fear on the part of large bodies of workmen, particularly amongst those whose wills have been subordinated to their employers for a long period of years—

Mr. HARDWICK. They are afraid to go into the courts?

Mr. WILSON. Yes; there is always an element of doubt as to their cases being properly considered in going before grand juries or before courts.

Mr. MADISON. Mr. Wilson, if we were to order an investigation and develop facts that support your allegation, the ultimate remedy, of course, would be an appeal to the courts, would it not?

Mr. WILSON. That would be the ultimate remedy, so far as peonage is concerned.

Mr. MADISON. Of course, I had reference only to peonage; so we get back to that.

Mr. WILSON. Yes. The other reasons why we ask a congressional investigation are these, that those men are alleged to be held by those corporations contrary to their will. Not being lawyers, we have not discovered the method, as yet, by which we can get full and complete evidence of all of the men who are being held in this manner. While we have evidence of some who are being held, and have the allegation made that others are being held, we know of no method by which we can reach it, by which the entire number who are being held against their will can be discovered, except by a congressional investigation.

Mr. HARDWICK. Could not a court of the United States determine those facts as well as a congressional committee?

Mr. WILSON. I do not know that it is the duty of a court to investigate. I think it is the duty of a court to pass upon the evidence that is brought before it. It possibly might be the duty of a grand jury to investigate.

Mr. HARDWICK. Exactly; that is one arm of the court.

Mr. WILSON. But it is not the duty of the court, as I conceive it, to investigate matters of that kind.

Mr. HARDWICK. Except that the grand jury is an integral part of the court. It is the duty of the grand jury to inquire into all alleged violations of the Federal statutes.

Mr. WILSON. But it is not likely that a grand jury would proceed to investigate matters of this kind unless instructed by the court to do so. It is very infrequent that a grand jury undertakes of its own motion to investigate subjects of this character.

Mr. GARRETT. May I suggest this thought to you, and I would like to hear you on it. Suppose this investigation is ordered, and the Committee on Labor takes testimony. You provide in your resolution, and it is the law anyway, that testimony given before the committee shall not be used against a person on trial. Concededly you must go back to the courts for relief on the peonage matter in any event. This investigation might develop certain facts, and then they would have to be laid before a court.

Mr. WILSON. Yes.

Mr. GARRETT. Would there or not, in your opinion, be danger of them obtaining immunity by an investigation before your committee, which would prevent the courts, which confessedly are the only ones that can remedy the situation, from acting?

Mr. WILSON. I can not conceive of their getting immunity, because if there is peonage there the parties who are held against their will would naturally want to get out of there. If by any means the committee can locate those parties, then the evidence would be forthcoming, without in any manner getting the evidence from the parties who are responsible for the peonage; and, consequently, there would be no immunity.

Mr. GARRETT. They might, of course, come and demand to be heard by the committee on the theory that they were interested.

Mr. HARDWICK. Mr. Garrett, if you will pardon me for making the suggestion, the mere fact that a witness comes before an investigating committee and admits that he has committed a violation of the law does not give him immunity from subsequent trial and punishment for that violation of the law; but he is merely protected to this extent, that they can not use that particular testimony against him. Am I not right about that, Mr. Dalzell?

Mr. DALZELL. Yes.

Mr. WILSON. That is my understanding of it. But the evidence given before the committee by a witness could not be used against him in criminal proceedings. But there could be no immunity from prosecution growing out of this, beyond the fact that the testimony given by a witness could not be used against him. That is my understanding.

Mr. GARRETT. I take it that is the law.

Mr. DALZELL. Who are these parties who are held against their will?

Mr. WILSON. I am not in a position to state that.

Mr. DALZELL. I do not mean their names; I mean what class are they? Are they men who are working?

Mr. WILSON. Men who are working there.

Mr. HARDWICK. Among the strike breakers, you say?

Mr. WILSON. Among the strike breakers.

Mr. HARDWICK. Are they foreigners, or Americans?

Mr. WILSON. Some of them are alleged to be foreigners, and consequently the clause in the resolution asking for an investigation as to whether or not treaty relations with other countries are being violated.

Mr. HARDWICK. Right on that point, have we any treaty relations with any other country that protects citizens of that country against that particular thing in this country?

Mr. WILSON. The treaties with all other countries give to foreigners in this country the same protection of the laws that is given to natives.

Mr. HARDWICK. I understand.

Mr. WILSON. And peonage being a violation of the law as applied to natives, it would naturally be a violation of the treaty rights.

Mr. HARDWICK. And if the protection of the law is withheld from foreigners it is an infraction of the treaty?

Mr. WILSON. Yes.

Mr. GARRETT. How are those men being held against their will?

Mr. WILSON. In stockades, I am informed.

Mr. HARDWICK. Guarded, and all that sort of thing?

Mr. WILSON. Yes.

Mr. GARRETT. What is the excuse given for the guarding, for having the guards around those stockades?

Mr. WILSON. The excuse for having guards around the stockades is the same excuse that is given for guards when any strike occurs, the fear of damage to property.

Mr. HARDWICK. From the strikers?

Mr. WILSON. From the strikers; and hence the guards are there, many of them in the employment of these corporations, and others, again, under our peculiar constabulary laws in the State of Pennsylvania.

Mr. DALZELL. These men who are detained against their will are, as I understand, working in the mines?

Mr. WILSON. Yes.

Mr. FOSTER. They are the men who have taken the places of the strikers?

Mr. WILSON. They are the men who have taken the places of the strikers.

Mr. MADISON. Are they English-speaking people?

Mr. WILSON. I do not know whether there are any English-speaking people among them or not. I am given to understand that English-speaking people are among them, but that they are subjects of foreign countries.

Mr. FOSTER. How long has this condition existed there, if you know?

Mr. WILSON. This condition has existed since shortly after the inauguration of the strike, which began on the 10th of March, 1910; nearly 15 months.

Mr. HARDWICK. What do you mean by this statement about ingress and egress to and from certain United States post offices?

Mr. WILSON. I was just coming to that. It is stated, and I believe correctly, because the same thing happened under my personal observation in other strikes, that in a number of the coal mining towns in the Westmoreland coal field the post office is located in the company store, and the company store is on the private property of the coal company, without any public road leading thereto, the roads leading to the company stores being private roads owned by the coal company, that under the laws of the State of Pennsylvania the coal companies have posted trespass notices, so that anyone who goes upon the property of the coal company is a trespasser. The courts have also issued restraining orders. I have not seen any of them that specifically restrained the workers from going upon those properties, but they may be so construed; and if they are so construed, then the strikers, or their sympathizers, their associates, their aiders and abettors, who go to the Government post office, located in the company store, under these circumstances are not only trespassers under the laws of the State of Pennsylvania, but it is in violation of the order of the court and in contempt of court, and there have been a number of instances in which people have been prevented from going to the Government post offices under these circumstances.

Mr. HARDWICK. That is a violation of the Federal statutes, is it not?

Mr. WILSON. I do not know of any Federal statute that covers the situation. The post office is on private property, without any public road leading to it, and I know of no Federal statute that covers that case.

Mr. FOSTER. You say this post office is located on private property of the coal company?

Mr. WILSON. It is not only located on private property—because many post offices are located on private property; in fact, the bulk of third-class and fourth-class offices are so located—

Mr. FOSTER. You say there is no public road by which a person could get to this post office?

Mr. WILSON. No; there is no public road. That is the condition.

Mr. FOSTER. Do they post these notices and in that way prevent the people from going to the post office?

Mr. WILSON. The people are not generally prevented from going to the post office, but they can be generally prevented from going there, and there are instances in which they have been prevented from going there.

Mr. FOSTER. That is what I am getting at.

Mr. HARDWICK. The parties prevented being strikers?

Mr. WILSON. Yes; or their sympathizers.

Mr. FOSTER. From going to this office to receive and send out mail?

Mr. WILSON. Yes.

Mr. DALZELL. These post offices are in the stores?

Mr. WILSON. In the company stores, which is a very common thing in the mining regions, where a mining town is owned exclusively by the coal company. It is a very common thing for the post office to be located in the company store.

Mr. MADISON. Has the Post Office Department been informed of these facts?

Mr. WILSON. I do not know; I have not informed them.

Mr. MADISON. I should say they would not stand for it one minute.

Mr. HARDWICK. They would move the post office, at least.

Mr. WILSON. I know that this condition has existed for years. I have met it in my experience. I have personally been barred from going to post offices that were on company property, so that I know that conditions of this kind have existed in the past. I do not know personally that this condition exists here at this time.

Mr. FOSTER. That condition existed at the Leiter mine out in Illinois. The post office was located within the stockade of that mine, and a good many people at the time of the strike were kept out of there.

Mr. MADISON. People who were patrons of the office?

Mr. FOSTER. Many of the strikers, and people they wanted to exclude.

Mr. MADISON. People who desired to mail letters?

Mr. FOSTER. Yes.

Mr. WILSON. People who were in the habit of going there regularly for their mail, prior to the time the strike came on, and who had to depend on the post office for such mail as might come to them, or else be at the disadvantage of going a distance to another post office.

Mr. MADISON. Did the department know of that, Mr. Foster?

Mr. FOSTER. I do not know. They certainly should have, because the post-office inspector who is employed by the department to keep track of the post offices ought to know of those cases.

Mr. DALZELL. Could you give us the names of those post offices?

Mr. WILSON. I think they will be given by one of the witnesses later on. I am simply stating what we hope to be able to present to this committee.

Mr. MADISON. Let us not bother Mr. Wilson, but let him go ahead and make the statement of what he expects to prove.

Mr. WILSON (reading:)

Whether or not the Commissioner of Labor or any other official or officials of the Government can be of service in adjusting the strike.

We ask this for this reason, not simply because the coal mined at those mines goes into interstate commerce, but because several of the large coal-mining companies are not only miners of coal, they are the owners of railway cars that transport their coal from the mines into other States, and as such, in my judgment, come under the regulations of the interstate-commerce act. It has frequently transpired that the Commissioner of Labor has been able to exercise his good offices in adjusting disputes that have arisen, and disputes that are pending before difficulties have occurred, and it is hoped that possibly out of this investigation there might come some information that would inform us as to whether or not the Commissioner of Labor, or any other official of the Government, could be of service in adjusting the dispute as it now exists there, and those three things particularly are the things we hope to be able to establish by witnesses whom we have here. I would like to call on Mr. Francis Feehan, who is the president of District No. 5, United Mine Workers, the Pittsburg.

Mr. HARDWICK. Let me ask you one question, before he starts, about the general policy of the resolution. The resolution proposes

an investigation by a standing committee of Congress. Can you give this committee any idea of what you think the cost of the proposed investigation will be?

Mr. WILSON. I do not think the cost of the investigation will be very great.

Mr. HARDWICK. Can you give us even a guess at it? We will not embarrass you in the future.

Mr. WILSON. The greatest cost, as I see it, would be the cost of such stenographers we might have to use outside of the regular stenographers to committees, the cost of witnesses, and the printing that might accrue from that.

Mr. FOSTER. Would it be necessary for that committee to visit this coal region in order to take testimony, Mr. Wilson?

Mr. WILSON. I think it might be necessary.

Mr. HARDWICK. It might be cheaper, too, to send a subcommittee out there.

Mr. WILSON. It might be necessary for a subcommittee of the committee to go to Greensburg and investigate the situation at first hand. It would not be necessary for the entire committee to do so. I conceive that a subcommittee of three might be able to handle that entire situation, and get all the evidence that might be available without the necessity of having the entire committee present there.

Mr. HARDWICK. Of course, you do not know how to give us an estimate of what you think it will cost?

Mr. WILSON. No, I have not made an estimate; but I do not think the cost will be very great. I can not see where it would be very great.

Mr. HARDWICK. A few thousand dollars at the outside?

Mr. WILSON. I do not think it would exceed \$5,000 or \$10,000 at the most. I do not think it would exceed ten thousand; it might exceed five thousand. But I do not think it would exceed \$10,000. The Westmoreland field is a very compact field, Greensburg being the center, and the mines involved in this strike not being at a distance of more than 20 miles at the greatest in any direction from Greensburg.

Mr. DALZELL. Greensburg is the county seat of Westmoreland County?

Mr. WILSON. Greensburg is the county seat of Westmoreland County.

Mr. HARDWICK. How many men are there involved in this?

Mr. WILSON. There were originally 18,000 men involved in the strike. There are now between 6,000 and 7,000 men remaining on strike. The remainder, somewhere about 10,000, have either moved out of the region entirely or have gone back to work.

Mr. MADISON. I will say that we have more people out in Kansas who have come from Westmoreland County, Pa., than from any other county in the country.

Mr. WILSON. I do not blame them. If you ever mined a ton of coal for 35 cents, which is the price paid in the Greensburg district, you would want to move to Kansas or to some other warm country.

Mr. FOSTER. There is no reason why that difference in price should exist between those two neighboring districts.

Mr. WILSON. There is no reason why, on the Pittsburg side, the mining rate for mine-run coal, which is the basis upon which you can

grasp it easiest, is 61.1 cents. The mining rate since January last in the Greensburg and Latrobe part of the Westmoreland field has been 38½ cents per ton of 2,000 pounds. Just east of that, in the mountain region, from Johnstown through to Altoona, the mining rate has been 69 cents for a long ton of 2,240 pounds, being somewhere about 63 cents per short ton.

Mr. FOSTER. For what these other men in the Westmoreland district are paid 38 cents?

Mr. WILSON. Thirty-eight cents; and prior to January, 1910, they were paid 35.1 cents. At that time they introduced safety lamps into the mines, which makes it more difficult for men to work, because a safety lamp gives very much less light, is much more cumbersome, and consequently a man can not work to the same advantage with a safety lamp that he can where no safety lamps are used; and the conditions there apparently required the introduction of safety lamps. They introduced the safety lamps, and with the introduction of the safety lamp they advanced the rate from 53 cents per car, containing a ton and a half, to 58 cents per car, containing a ton and a half. That occurred in January of 1910. In the Pittsburg region the mining rate since 1897 has been gradually going upward by virtue of contracts entered into between the employers and employees—mutual agreements. In the Greensburg field the mining rate from 1905 until 1910 was reduced from 69 cents per car of a ton and a half to 53 cents per car of a ton and a half, at the same time that their neighbors surrounding them were having their wages increased. That naturally created a spirit of unrest, and yet, when the strike came, it was not precipitated by virtue of the men demanding more wages, but was precipitated by virtue of the fact that the coal operators discharged the men for joining a union.

Mr. MADISON. They are now demanding an increase in wages?

Mr. WILSON. After the discharge of the men, and when the mass meeting was held for the purpose of considering what line of policy they should pursue for the protection of the men who had been discharged and the means of securing their reinstatement, being in for a lamb they considered that they might just as well be hung for a sheep. So they included in their resolution a demand for an increase in wages that would put them on a basis with the Pittsburg field.

Mr. HARDWICK. How much was that increase?

Mr. WILSON. It would amount all the way from 10 per cent to possibly 75 per cent. I have not figured it out in all its details, but it would run about that.

Mr. FOSTER. They only ask for an increase of the difference in rate where the conditions are similar.

Mr. WILSON. The conditions are very similar throughout the entire field, the greatest difference being the physical make-up of the coal east of Pittsburg, until you strike the base of the mountain region, gradually getting softer in its nature—that is, that it does not come out in the large solid lumps that it makes in the Pittsburg field. But there is a difference also in the marketing which overcomes the difference in the physical condition, from a business standpoint. The great bulk of the coal in the Greensburg field is sold on a mine-run basis for steam-generating purposes; the coal in the Irwin field is partially sold for domestic purposes, but principally sold for steam and for gas-making purposes, the Irwin field coal being considered the finest gas

coal that we have anywhere in the United States: Some of the coal there is screened and some of it is sold on a mine-run basis. In the Pittsburg field it is a steam and domestic coal in its structure and it is marketed accordingly. So that the difference there in the physical structure of the coal is overcome, from a business standpoint, in the manner in which the coal is marketed.

Mr. FOSTER. Does the fact that the coal is softer in the Westmoreland district than it is in the Pittsburg district make it easier to mine it there, and can a man mine more coal in the Westmoreland district than in the Pittsburg district?

Mr. WILSON. I do not think that is true of the Irwin part of the field. You must understand that there is no distinct cleavage between the Pittsburg field and the Irwin field. There is a gradual changing of the physical structure of the coal as it passes eastward, but there is no distinct dividing line between the two, and the differences in the physical structure are not extremely great; whatever differences there are are overcome by the methods in which the coal is marketed and the purposes for which it is used.

The CHAIRMAN. How many gentlemen have you to present to the committee?

Mr. WILSON. There is Mr. Feehan, who is president of the United Mine Workers in that field; Mr. Spiegel, who has been the attorney for the coal miners at Greensburg in a number of cases that have grown out of the strike; Mrs. John Fox, who has been a worker in charity organizations and associations of that kind; Mr. John Ruffner, who is one of the strikers, and Mr. J. K. Littlewood, who is also one of the strikers.

The CHAIRMAN. I thought the committee would like to get through this morning with your side of the case anyhow, and I will ask you if placing a limit of 5 or 10 minutes on the speakers would be an injustice to them? We have so many things before the committee that we have to hurry along a little bit; while we do not want to deprive you of a full hearing.

Mr. WILSON. I am afraid a limit of that kind might be embarrassing. We will try to make the statements as brief as we can.

Mr. MADISON. Could you not ask the questions?

Mr. DALZELL. I think Mr. Feehan understands this whole situation. He can tell us in a short time all about it.

Mr. MADISON. Have them tell us the material points, and not the immaterial.

Mr. HARDWICK. Let me make this suggestion to the committee and to Mr. Wilson: The bare fact that there is a strike on in Pennsylvania gives this committee no jurisdiction. Let us confine the discussion to the points out of which Federal jurisdiction grows.

Mr. WILSON. I simply referred to the conditions that have brought about this strike, that led up to these conditions complained of, so that the committee might be able to grasp the situation; and it is not the intention to present to the committee any additional testimony relative to the causes of the strike.

Mr. HARDWICK. To the merits, or anything like that.

Mr. WILSON. Unless there is some controversy.

Mr. MADISON. Let us try the method of counsel, putting the parties on and asking then the material questions.

Mr. WILSON. I would suggest you would make greater headway by letting each one make his statement in his own particular way, and I am sure that unless the members of the committee are anxious to get side lights on some phase of the subject, it will not take us long to get through.

Mr. DALZELL. It might be a good idea to reserve our questions until after the statements are completed.

The CHAIRMAN. I think that is a good suggestion.

**STATEMENT OF MR. FRANCIS FEEHAN, OF PITTSBURG, PA.,
PRESIDENT OF UNITED MINE WORKERS, DISTRICT NO. 5.**

Mr. FEEHAN. Mr. Chairman and members of the committee, I understand you have but little time to listen to the numerous arguments that we intended to present, and I will be as brief as possible.

I want to state that we are desirous of this investigation, and expect to prove, as Mr. Wilson stated, that there is peonage; that the coal companies have erected stockades, and that they have resorted to other methods to compel the mine workers and others who are not mine workers, whom they have imported into their mine localities, to work in the mines, keeping them there against their will. I know from experience hundreds of cases where men have escaped, got over what they call the "dead line," where deputies employed by the coal companies are stationed to patrol the outer edges of the company's property. They have some privileges, liberties, inside of the company's property, but if they attempt to get out at any time they are restrained from doing so, and frequently threatened, and often beaten and driven back in. If they get over what the imported men call the "dead line" and are captured again, they are taken back forcibly, and in many instances men who have escaped from these stockades in the mining localities have come into the miners' headquarters to obtain information as to how they could get away from the place, and to get financial assistance. They have been sometimes badly wounded; many of them had their heads cut, some of them even shot and otherwise disfigured. That is the condition that prevails, and the citizens of Westmoreland County know that condition, and have known of it in a general way since the strike was inaugurated. We expect that a Federal investigation will put a stop to this. We expect to prove on investigation that men, in order to go to church on Sunday morning, were required to get a pass out from the officials of the coal company or the deputies.

Mr. HARDWICK. What would the Congress of the United States have to do with that?

Mr. FEEHAN. Of course, this is what we call holding men against their will.

Mr. HARDWICK. Not that that you have just stated.

Mr. FEEHAN. It is keeping men in a system of labor.

Mr. HARDWICK. Not what you have just stated, where men had to get passes to pass beyond a certain line.

Mr. MADISON. It is peonage—unlawful restraint.

Mr. HARDWICK. Restraint inside of the lines?

Mr. FEEHAN. Restraining people from coming out. These are the employees of the coal companies desirous of going out into the town or the locality to go to church. They are first required to get a pass

out, and then they have to show their pass to get back in again. We expect also to prove that men coming from Europe, immediately upon landing at New York or Philadelphia, are met by agents of these coal corporations who operate in the Westmoreland coal field, affected by this strike, and they are induced to come. Conditions are misrepresented to them. They are influenced to go into Westmoreland County, and when they arrive there there is not much hope of them escaping. If anyone should attempt to approach these men as they get off the train, or as they are conveyed into the mining locality by cars or in any other way, then one of the company's deputies will drive you off, so that you do not have an opportunity to talk to the men or give them information as to the true conditions that exist. And the men are conveyed there and as soon as they get into the stockades, or into the company's property, from which they can not escape, they are restrained and compelled to stay.

Mr. HARDWICK. Can you show that any of them are unwilling to stay there?

Mr. FEEHAN. Yes.

Mr. HARDWICK. Can you give me the names of any of them?

Mr. FEEHAN. I believe great numbers of them are unwilling to stay if they can get an opportunity to get out.

Mr. HARDWICK. How are you going to prove that?

Mr. FEEHAN. By going up and making an investigation.

Mr. HARDWICK. Asking the men themselves?

Mr. FEEHAN. Yes.

Mr. HARDWICK. You have not had that opportunity yet?

Mr. FEEHAN. We know from men who have escaped from there, who have come and given us that information.

Mr. HARDWICK. That is exactly what I am getting at. You say you have had men who got away from them come there and say that other men are being held against their will?

Mr. FEEHAN. Great numbers of them.

Mr. HARDWICK. Can you give us the names of any of those men?

Mr. FEEHAN. Yes; I have the names of three brothers of the name of Griffith, who came from Wales recently and were induced to go to Westmoreland County and were held there.

Mr. MADISON. Did they escape?

Mr. FEEHAN. Yes.

Mr. HARDWICK. And they made the statement that they had been held against their will?

Mr. FEEHAN. Yes.

Mr. HARDWICK. And other people were being held in the same way?

Mr. FEEHAN. Yes, and they gave us the information that people were beaten up and compelled to go into the mines against their will.

Mr. MADISON. Can you not give us the first names and post-office addresses of those men so that we might send for them?

Mr. FEEHAN. The name is Griffith. I secured them employment at a mine in our district, but I do not know whether they are there now or not. That has been about six weeks ago.

Mr. MADISON. Can you give us their first names and their post-office addresses, the last addresses you know?

Mr. FEEHAN. The father's name was David Griffith, and he had two sons.

Mr. HARDWICK. What is his post-office address?

Mr. FEEHAN. Marianna.

Mr. HARDWICK. Do you know his two boys' names?

Mr. FEEHAN. No.

Mr. MADISON. Can you give us the names of others whom we might send for?

Mr. FEEHAN. No; but in the event you decide to have this investigation, I can give you great numbers.

Mr. HARDWICK. We want to see whether there is anything to base it on.

Mr. FEEHAN. I expect to furnish proof here; Mr. Spiegel has some strong affidavits. Had we been notified in time that this hearing was to be held, we could have brought some affidavits from men who have escaped. We will get the information for the investigating committee in the event this resolution is adopted.

I want also to say that agents are in other States, in West Virginia and in Kentucky and in Tennessee, and have succeeded, through misrepresentation, in inducing a great number of mine workers from those States to come up into the Irwin district and go to work. So we have citizens from those States in there. But they are employed there, and great numbers of them, of course, escape. But the foreign-speaking workmen can be handled more successfully than the Americans.

Mr. MADISON. Will you kindly describe the detention camp and the manner in which the men are held?

Mr. FEEHAN. At one of the mines they have a stockade, the Ocean Coal Co.'s mine. They have a very large fence around the company's houses, so that you can not get an observation of what is going on on the inside. There are only certain outlets, where deputies are stationed, and you only get out when you are privileged to go out.

Mr. MADISON. How high is that fence?

Mr. FEEHAN. I judge about 8 or 10 feet.

Mr. MADISON. Is it a solid fence?

Mr. FEEHAN. A solid board fence.

Mr. MADISON. Upright boards?

Mr. FEEHAN. Upright boards.

Mr. MADISON. At this particular camp to which you refer, how many men are confined?

Mr. FEEHAN. I dare say that there are two or three hundred men in there. Of course it is difficult to determine, because I have not been in there. It is difficult to get in.

Mr. DALZELL. Are their houses within that inclosure?

Mr. FEEHAN. Yes.

Mr. DALZELL. In which they live?

Mr. FEEHAN. Yes.

Mr. MADISON. Are their families with them?

Mr. FEEHAN. Yes; some have families.

Mr. MADISON. And what about the post offices? Where is the post office for that camp?

Mr. FEEHAN. The post office is on the public road, and still it is very difficult to get at.

Mr. MADISON. How far away?

Mr. FEEHAN. I judge from the fence, if I recall properly, the post office is about 75 feet.

Mr. MADISON. How is it difficult to get at if it is 75 feet away?

Mr. FEEHAN. Seventy-five feet away from the fence—from the company's property.

Mr. MADISON. How is it difficult of access?

Mr. FEEHAN. Because right on that public entrance there is always a great number of deputies, and frequently our men, who are known to be strikers, approaching the post office, are assaulted by these deputies, and they lie in wait for them on their way to the post office.

Mr. MADISON. Strikers?

Mr. FEEHAN. Yes.

Mr. MADISON. What we are talking about is the men in the detention camp. Are they permitted to go to the post office?

Mr. FEEHAN. The post office in the Jamison coal works, for instance, is in the camp.

Mr. MADISON. Take just this camp.

Mr. FEEHAN. I do not know of a post office in that camp I have reference to.

Mr. MADISON. I thought you said it was 75 feet away.

Mr. FEEHAN. Away from the fence, or the property line.

Mr. MADISON. Do the men who are within this inclosure, or stockade, to which you refer, have free access to the post office?

Mr. FEEHAN. I am informed that the company gets their names, and takes the mail in there and distributes it.

Mr. MADISON. Do you know that?

Mr. FEEHAN. That is the information that I have, that they take the mail, get the names of the men who expect mail, and take it in and distribute it.

Mr. HARDWICK. At the point where this stockade is built, was there any violence, or threatened violence, by the strikers to make it necessary for the company to protect its property or its employees?

Mr. FEEHAN. This particular town has been shot up several times by the deputies. They have gone on a rampage.

Mr. HARDWICK. Have the strikers done anything?

Mr. FEEHAN. No; they have not.

Mr. HARDWICK. They have not been guilty of any violence at all?

Mr. FEEHAN. I would not say they have not been guilty of any violence; but this I do know, that since the strike was inaugurated there have been about 20 of the miners shot and killed.

Mr. HARDWICK. Twenty at that place?

Mr. FEEHAN. Not at this particular place, but throughout the entire striking district. There have been several hundred seriously wounded.

Mr. MADISON. How many have been killed?

Mr. FEEHAN. About 20.

Mr. MADISON. By deputies?

Mr. FEEHAN. Yes; murdered.

Mr. MADISON. Have any deputies been killed?

Mr. FEEHAN. No; not to my knowledge.

Mr. RUFFNER. Yes; one.

Mr. HARDWICK. Have any of them been wounded?

Mr. RUFFNER. Yes; several wounded.

Mr. FEEHAN. There have been deputies wounded, but I have no knowledge of any of them being killed.

Mr. HARDWICK. Have there been any threats or attempts to injure the company's property or their new employees that afforded any justification or pretext for the erection of this stockade?

Mr. FEEHAN. No. I am certain, however, that the fence was not erected to keep the miners from going into the mining locality, or going to work, but I believe it was erected to keep the men in there.

Mr. HARDWICK. I am not asking you about your belief, but as to whether or not in point of fact there have been such occurrences as would seem to render it necessary for this company to put some sort of protection around there. Were there any riots there or anything like that?

Mr. FEEHAN. There have been riots there.

Mr. HARDWICK. Between the strikers and strike breakers?

Mr. FEEHAN. Yes.

Mr. HARDWICK. At that point?

Mr. FEEHAN. At that point.

Mr. HARDWICK. At the plant itself?

Mr. FEEHAN. No; at the town.

Mr. DALZELL. What town is that?

Mr. FEEHAN. Herminie.

Mr. DALZELL. What company is that that has the stockade?

Mr. FEEHAN. The Ocean Coal Co. has the fence around the property, which is called a stockade.

Mr. DALZELL. I think the committee ought to have the names of the various companies that are about to be investigated. Could you not give us the names of the companies? We have already had one, the Keystone.

Mr. FEEHAN. The Keystone, the Jamison, the Ocean, the Pittsburgh, the Westmoreland, the United Coal Co., the Penn-Gas, the Y. & O. Coal Co., the Latrobe.

Mr. DALZELL. Does this extend over to the Connellsville region?

Mr. FEEHAN. No. It is in what is known as the Latrobe.

Mr. DALZELL. It does not go into Fayette County at all?

Mr. FEEHAN. No; it is all in Westmoreland County.

Mr. HARDWICK. At the point where that high stockade is located has there ever been an attempt to destroy the property of the company?

Mr. FEEHAN. No; there has not been. There has been one serious riot, where it is alleged the deputies and the employees of the company became intoxicated and shot up the town. One of the citizens of the town was murdered and a number were shot.

Mr. MADISON. What was the name of the citizen who was murdered?

Mr. FEEHAN. Frank Ridgway.

Mr. MADISON. What were the circumstances of his killing?

Mr. FEEHAN. Mr. Spiegel will go into that. The attorney is more familiar with all these cases. I was not present, but I heard of it.

Mr. MADISON. Could you tell us some of the circumstances under which some of these other men, the 20 men, were killed, as to whether or not it was a case of assaults by the strikers which the deputies were resisting or cases in which the deputies, without any provocation, shot men down? Give us the story.

Mr. FEEHAN. I might say that the riots were usually provoked by the deputies employed by the coal companies, and they were armed and our people were not armed.

Mr. MADISON. Was what is known as "picketing" generally resorted to there by the strikers?

Mr. FEEHAN. No.

Mr. MADISON. Were attempts made by the strikers to get the men who were brought in as strike breakers to quit work, to refuse to work?

Mr. FEEHAN. Yes; when strike breakers were brought into the mining camp—

Mr. MADISON. What efforts were used and in what way to do that?

Mr. FEEHAN. They were usually approached and notified that there was a strike on, and that if they would stop and learn the conditions that existed there they would not go to work. This was the common practice and is the custom of our organization to notify men.

Mr. MADISON. Was there any attempt made to intimidate men in any instance?

Mr. FEEHAN. Not to my knowledge.

Mr. MADISON. Did you ever hear of anything of that kind?

Mr. FEEHAN. No; there was no opportunity to intimidate; there was no necessity to intimidate.

Mr. WILSON. Were any of these killings that took place the result of the approaching of strike breakers and asking them to quit work or attempting to force them to quit work?

Mr. FEEHAN. No; the killings usually took place where men attempted to hold meetings or where groups of the strikers were together, and the deputies came down and sought a quarrel and provoked it, and it usually resulted in some of them being shot.

Mr. MADISON. In all these instances the deputies were the parties who took the initiative and were the parties who precipitated the trouble?

Mr. FEEHAN. I do not want to make the statement that some of our people were not quarrelsome; but I do say that the deputies frequently provoked quarrels.

Mr. MADISON. Sometimes the other folks did?

Mr. FEEHAN. Yes. In many instances our people were shot down in cold blood where there was no quarrel at all.

Mr. HARDWICK. I suppose both sides were the aggressors in some instances?

Mr. FEEHAN. The deputies have gone to men's homes and shot them in their own homes.

Mr. HARDWICK. Let us see what you claim about that. Both sides were the aggressors in some instances, were they not?

Mr. FEEHAN. Yes.

Mr. HARDWICK. In other words, you admit that your people may sometimes have been the aggressors?

Mr. FEEHAN. Yes; I suppose some of our people would be quarrelsome at times.

Mr. WILSON. Did many of these killings take place in close proximity to the coal mines, or at some distance?

Mr. FEEHAN. They frequently occurred at a distance from the coal mines. There were murders committed, as I have explained, right in the miners' homes.

Mr. DALZELL. Have there been any trials?

Mr. FEEHAN. Yes. I think 18 of these deputies are serving terms now in the penitentiary for the killing of some of our men.

Mr. SPIEGEL. Not now. They served three months.

Mr. DALZELL. For murder?

Mr. FEEHAN. Yes.

Mr. DALZELL. Where were they tried, in Greensburg?

Mr. FEEHAN. Yes.

Mr. MADISON. By jurors drawn from the community?

Mr. FEEHAN. Yes; a jury drawn from the community.

Mr. MADISON. Were the trials fair?

Mr. FEEHAN. Mr. Spiegel, of course, can give you more information about the trials.

Mr. MADISON. Were the trials conducted fairly?

Mr. FEEHAN. We do not believe that the trials in the courts of Westmoreland County have not been conducted fairly.

Mr. HARDWICK. Who fixed the punishment, the jury or the judge?

Mr. FEEHAN. I suppose the judge did. Men have been held against their will, and imported there under misrepresentation, and detained there, and those men are not given the rights and privileges that American workmen should enjoy. We believe this condition that prevails there is a blot on the State and the Nation. I believe if there is an investigation made, it will be discontinued. Our people are at a disadvantage with the violations of the laws of our State to contend with, without having the Federal laws violated and used to the advantage of the coal corporations. If men who go to work there of their own free will are given the right to walk off and on the property, we will raise no objection. But when they are imported there from the various States, and especially taken from the ships, or after they arrive, coming from Europe, taken through misrepresentation and conveyed there and imprisoned, we think all that is a violation of Federal laws and should be discontinued, and that an investigation is the very thing to have it discontinued.

Mr. HARDWICK. Why do not the Federal courts afford an ample remedy for this condition, if they are holding men there in peonage in violation of the Federal statutes?

Mr. FEEHAN. It is difficult for us to get the evidence. A man can escape from there, and he is just as anxious to get away from us and get out of the county as he is to get out of the stockade, because he has usually been beaten up or has been punished.

Mr. HARDWICK. Suppose the Federal grand jury for that district of the United States undertook an investigation; would they not have just as much power as any congressional committee would have to bring these people there?

Mr. FEEHAN. No; I do not think they can institute an investigation.

Mr. HARDWICK. The grand jury could not, as to whether or not the laws are being violated?

Mr. FEEHAN. No; I think not. I think an effort was made to get such an investigation during the McKees Rocks shop strike.

Mr. HARDWICK. And the grand jury refused to do it?

Mr. FEEHAN. I do not think they have the law. Mr. Spiegel can give you the information on that.

Mr. HARDWICK. I would like to hear somebody on that proposition.

Mr. FEEHAN. I do not think they have any trouble in instituting an investigation. That is a recent development in cases of that kind.

Mr. HARDWICK. The grand jury has no trouble in instituting an investigation as to whether or not the laws of the United States are being violated.

Mr. FEEHAN. I am no authority on the law, and of course Mr. Spiegel will give you the information. I have little more to say. Mr. Wilson has explained to you the causes leading up to strikes, and if there is any more information on that question I will be very glad to give it to you.

Mr. HARDWICK. How many of your people who originally went into the strike have gone back to work in this territory?

Mr. FEEHAN. There were about 18,000 mine workers involved in the strike.

Mr. HARDWICK. They belonged to the union?

Mr. FEEHAN. About 10,000 of them left the field.

Mr. HARDWICK. Do you mean returned to work with the companies?

Mr. FEEHAN. Most of them were evicted from their homes, the company houses. There were thousands of evictions took place, and most of them left the county and went to work in other coal fields. I suppose 10,000 of them left that way. There are between 6,000 and 7,000 mine workers left in the field yet.

Mr. HARDWICK. Do you mean on strike?

Mr. FEEHAN. Yes. Many of them have lived out in the camps all during the winter, after being evicted by the coal corporations. I do not think there are more than 5 per cent, perhaps between 5 and 10 per cent, original miners who went on strike who have returned to work.

Mr. HARDWICK. With these companies?

Mr. FEEHAN. Yes.

Mr. WILSON. Have not a great many of those who have been evicted lived during the winter months in tents?

Mr. FEEHAN. Yes; some of them living during the entire winter in tents supplied by the organization. A great many of them lived in temporary sheds erected of just plain boards and paper roofs.

Mr. HARDWICK. Do they live there yet?

Mr. FEEHAN. Great numbers of miners and their families are living in the tents or sheds. If there is nothing more I will give way to the other ladies and gentlemen who are to speak.

**STATEMENT OF J. R. SPIEGEL, ESQ., OF GREENSBURG, PA.,
ATTORNEY FOR THE UNITED MINE WORKERS.**

Mr. WILSON. Mr. Chairman, I will call Mr. J. R. Spiegel, of Greensburg, Pa., who has been the attorney for the coal miners in the cases that have grown out of the strikes, succeeding Mr. Gregg, who was formerly their attorney.

Mr. SPIEGEL. Mr. Chairman and gentlemen, I have been connected with this strike situation as the miners' counsel since the first of last September. At the outbreak of the strike Mr. Gregg, who is here, and who is the Congressman representing our district now in Congress, was the head counsel for the strikers; but along about September it was too much for him to handle, so he called me in to help him out. From September up until the present time I have been their counsel, and since Mr. Gregg has come down to Congress I have had almost entire charge of the strikers' affairs in Westmoreland County. I want to say that the information we have here at the present time was gathered up within a space of about a day. We got word along

about Saturday afternoon that this hearing would be given, and I had several affidavits that I took previous to that time, but most of the affidavits I have here with me now were gotten up, I think, along on Sunday afternoon and on Monday before we left.

I want to state at the outstart, so that you may be able to understand this situation and so that you may get a clearer insight as to how these conditions could exist, at the outbreak of the strike, when the people began to come out of many of the mines about Westmoreland County, the coal companies seemingly thought that they could break the strike, and break it very quickly, by using some very severe measures. Following that plan, they sent for a man by the name of Capt. Tanney, who had a national reputation as a strike-breaker. This Capt. Tanney, it seems, has broken many strikes throughout the United States in the past few years, and, as I say, he had a national reputation. His tactics in breaking a strike, as I would understand it, were the hiring of a lot of fellows who cared not, really, for themselves, and had no self-respect; fellows who would serve time for money, and really, you might say, they were the scum of the earth; fellows, many of them, who had criminal records back of them, as such evidence was produced in court about them. Many of them were citizens of other States than Pennsylvania, as was subsequently shown in court, which was a direct violation of the laws of Pennsylvania. Now, I say that they sent for Capt. Tanney, and he brought in with him to break this strike about 200 or 300 such fellows, gathering them up from any place he could possibly gather them; that is, that caliber of men. He stationed his men here and there at the different works of the companies. I think the Westmoreland Coal Co. employed Capt. Tanney originally, and some of the other companies there also employed him; but the Westmoreland Coal Co., I think, had the most of Capt. Tanney's deputies. These men who were brought into Westmoreland County to break the strikes were sworn in by the sheriff of Westmoreland County as deputy sheriffs, and their policy, as I say, was to use any kind of measures that they saw fit to use—that is, in the way of violence, in the way of frightening, intimidating the strikers, in the way of brutally misusing them to break up the strikes. A short time after Capt. Tanney brought these men in the sheriff that we have there saw that he was making perhaps a considerable amount of money out of the strike, because he hired his services to the several coal companies at so much per day and so much per day for each deputy. I think the usual rate was about \$5 a day, it was subsequently brought out at an investigation there in Westmoreland County. He paid the deputies \$3 a day and the sheriff 50 cents a day for swearing them in, and he made a clean sum of about \$1.50 or \$1 a day on each man employed as a deputy at the several mines of the coal company.

Mr. DALZELL. You speak now of an investigation. What kind of an investigation was it, by whom, and for what purpose?

Mr. SPIEGEL. That was an investigation that was made into the affairs of the sheriff, as I will come to in just a moment. The sheriff, when he found out that Mr. Tanney was making a good deal of money—that is, I presume so—also got into the business of furnishing deputies to the coal companies at so much per day. Our sheriff of Westmoreland County, which county has a population of 150,000 people, under our laws is on a salary basis of \$6,000, I believe. The

sheriff of Westmoreland swore in—I can not give you the number of deputies, but I presume there must have been a couple of hundred of them throughout the strike—and furnished these to the coal companies at about the same rates that Capt. Tanney furnished them to the coal companies for. The more they clubbed and beat these strikers, and the more brutally they used them, the more stubborn the strikers became, until finally, I presume, the coal companies got tired, not of that kind of work, perhaps, but they saw that they were not getting the results that they expected to get from the employment of that kind of men, and for that and some other reasons they fell out with the sheriff of Westmoreland County. After they fell out with him they seemingly got the comptroller of Westmoreland County to make an investigation into the amounts received by the sheriff for the services of these deputies, and which he refused to account for to the county treasurer as public money. He claimed that this money which he had received for the hiring of these deputies to the several coal companies was a contract of a private nature between him and the coal companies, which did not pertain to his official duties, and he refused to account for any of this money which they claimed he had made, I think something like \$83,000, out of this strike. That is what he was charged with in the investigation. This investigation that I speak of was the investigation that was made into the affairs of the sheriff in the conduct of this strike.

Mr. WILSON. Might I ask if the men employed by this man Tanney were sworn in as deputy sheriffs, or were they sworn in as coal and iron policemen, or were they sworn in at all?

Mr. SPIEGEL. The men employed by Mr. Tanney were sworn in by the sheriff. The sheriff and Mr. Tanney seemed to work hand in hand at the outstart of the strike, but subsequently there were some differences which grew up between Mr. Tanney and the sheriff, and then, subsequently, differences between the sheriff and coal companies. After this investigation the sheriff called in all his deputies, with the exception, I think, of about ten or fifteen of them, who are now employed down about the Y. & O. Coal Co.'s works. That seems to be the only coal company that is at present on good terms with the sheriff of Westmoreland County. As I say, the men who were brought into that region by the sheriff and by Mr. Tanney and by several other private detectives who came there, and also some who were located there and in business, and who ventured into that business of hiring deputies for the coal company were men, really, whose characters, you might say, are unspeakable; you can not in words describe the characters of some of those men; and the tactics used by them in their efforts to break up the strikes are the prevailing and responsible cause for the conditions about which we complain here to-day—that is, the peonage system that we believe is practiced out there, and also the interference with the people of the communities in going to and from the post offices to get their mail.

Mr. HARDWICK. Right on that point, before you go any further, because you are the man who ought to tell us about it, why is not your remedy at law complete as far as any violation of the Federal statutes is concerned, without any investigation? In other words, Congress already having passed statutes on the subject, why should you not go to the courts; why do you need a congressional investigation of this subject?

Mr. SPIEGEL. In answer to that question I might say this in regard to the peonage which I believe exists out there: I spoke to Mr. McNair, who represented the strikers at the time of the McKee's Rocks strike, which perhaps you remember, down about Pittsburg, and Mr. McNair alleged that in that strike peonage had been practiced by the Pressed Steel Car Co., and he took the matter up with the district attorney at Pittsburg, so he informed me, but the district attorney in Pittsburg would not permit any informations or any proceedings to be instituted until he himself had first made an investigation, and he could not get the district attorney in Pittsburg to first make an investigation toward starting the machinery of the law to break up this peonage.

Mr. HARDWICK. Right on that point, you are in the same district of the United States?

Mr. SPIEGEL. Yes.

Mr. HARDWICK. The district attorney at Pittsburg has jurisdiction over Westmoreland County?

Mr. SPIEGEL. Yes; he is in the western district of Pennsylvania.

Mr. DALZELL. You mean the United States district attorney at Pittsburg, Mr. Jordan?

Mr. SPIEGEL. At that time I think it was Mr. Dunkle.

Mr. HARDWICK. Is the same man now in office?

Mr. SPIEGEL. No; Mr. Jordan is now the district attorney there.

Mr. HARDWICK. Have you made any application to Mr. Jordan?

Mr. SPIEGEL. No; simply on what Mr. McNair told me, of the necessary steps to be taken to start the machinery of the law to make an investigation of peonage, which was, to his mind, a farce.

Mr. HARDWICK. Why should not the district attorney of the United States make an investigation to see whether you have case enough, before he troubles the grand jury with it, and why would he not do that in respect to any violation of the Federal statutes?

Mr. SPIEGEL. I have never thoroughly investigated this peonage affair. All I can inform you on that subject is simply what I will say a little later on.

Mr. HARDWICK. I have; I have tried cases under those statutes, and I know something about it. The law is there, and it is complete. It has been upheld.

Mr. SPIEGEL. Some people came to me some time ago about this peonage affair, and I told them there was too much to do. You can not realize the amount of work on my shoulders. I have worked until 12 o'clock every night since the middle of February. I told them to go to Pittsburg and have their attorney there take it up with the district attorney.

Mr. HARDWICK. That is the precise question I would like to have your opinion on, as to whether or not the Federal statutes on that subject do not afford you ample relief if peonage is really being practiced by those coal companies?

Mr. SPIEGEL. I could not tell you that, because I have never investigated the statutes.

Mr. HARDWICK. If we are going to have a congressional investigation and it should develop that peonage is being practiced, what relief would you get except in the Federal courts, and would your remedy not be there finally?

Mr. SPIEGEL. I will grant you that.

Mr. WILSON. Would not this situation prevail, that the strongest power known to mankind, public opinion, would step in and prevent it?

Mr. HARDWICK. Prevent what, Mr. Wilson?

Mr. WILSON. Prevent the peonage; stop the peonage?

Mr. HARDWICK. I do not know about that.

Mr. GARRETT. You want this investigation, then, for the moral effect; is that it?

Mr. WILSON. Partially for the moral effect and partially because of the other things that we believe and that we are in a position to show can be brought out, which will require possibly congressional action.

Mr. MADISON. Do you not think, Mr. Spiegel, that before asking the institution of a special investigation that would cost the Government a good deal of money you ought first to make your application in due form and just as forcibly as you can to the district attorney; if he fails to do anything, then to the Attorney General; and then come before us and say that you are remediless and that here is a case that ought to be investigated?

Mr. SPIEGEL. I grant you that would be the proper procedure, no doubt.

Mr. FOSTER. Let me ask you this question: In your judgment have these facts been known to the district attorney at Pittsburg?

Mr. SPIEGEL. I could not answer that. As I say, when these people came to me I told them to go in and talk to Mr. Brennan.

Mr. FOSTER. Had it been in the newspapers, so that he might have knowledge of it?

Mr. SPIEGEL. To a very limited extent, because out where we are, in Westmoreland County, the coal companies seem to be in absolute control of the papers, and there is really nothing comes out in those papers that is in the least injurious to the coal companies.

Mr. FOSTER. You do not know that the district attorney has had any knowledge of these conditions?

Mr. SPIEGEL. I could not answer that, whether he has or not.

Mr. HARDWICK. On this question about preventing ingress and egress to the United States post offices in this region, in the first place, is there any statute on that subject to which you can cite us?

Mr. SPIEGEL. I have not looked that up. As I say, this proposition coming on me so suddenly I was not really prepared for it, and I have here only what has been prepared in a hurry.

Mr. MADISON. Do you not think, Mr. Spiegel, that whether there is a statute or not, we all conceding that the Post Office Department would have absolute control in the matter, that before asking us to investigate you ought to ask the Post Office Department to investigate it and determine that as they will not do it as to these matters you are remediless? Do you not think you ought to do that before you ask us to make an investigation?

Mr. HARDWICK. Have you made any complaint to the Post Office Department?

Mr. SPIEGEL. No. When I got this word here I had some matters in my desk that I had intended to write the Post Office Department about.

Mr. HARDWICK. Then no action has been invoked on the part of the Post Office Department with reference to this situation?

Mr. SPIEGEL. Not that I know of; unless some of the people out about the Jamison works have individually written to the Postmaster General, which I think they did. I think they themselves sometime ago, at my instance, wrote a letter to the Postmaster General.

Mr. HARDWICK. Of course you heard the statement about where these post offices were located. Section 3829 of the Revised Statutes of the United States, says:

The Postmaster General shall establish post offices at all such places on post roads established by law as he may deem expedient, etc.

Is there any place out there where they have established post offices on private roads?

Mr. SPIEGEL. With respect to that, I think Mrs. Fox can answer. She has been making an investigation along that line.

Mr. HARDWICK. All right.

Mr. SPIEGEL. But in one instance, as I understand, instead of its being located right on the public road, and also on public property, they have set the post office back perhaps 35 or 40 feet off the road, and this being on the private property of the coal company, there were notices posted on the private property. But they are not interfered with so much there as they are by the deputies of the coal companies out on the road when they are passing along the road.

A short time ago, along in April—and I might say that this condition which I now speak of existed prior to the 6th day of April, and perhaps two weeks subsequent to that date—I know as a personal fact that on two occasions I went on the train from Greensburg to Latrobe and saw in the smoker from 30 to 50 people; that is, I think I counted about 35 on one occasion, and a little over 40 on another occasion, in the smoker of the train which was going east. These people got off the train at Donahue Station; that is the station where the branch road goes down into the several works of the Jamison Coal Co., No. 1, I think, up to No. 6. These men were in charge of an employee of the coal company. I am informed that that proceeding was kept up for perhaps a week or so prior to that time and for two or three weeks after that time. There were daily going into their works during that time anywhere from 20 to 50 men, and they were all taken out on that dinner train to Donahue Station, and from there transported down the branch to the works of the Jamison Coal Co. During that time the street cars would bring into my office men who claimed to have run away from the Jamison works, who claimed they were brought there under misrepresentations as to the kind of employment they were to have and as to the amount they were to receive for such employment. All sorts of representations were made by those people to me. Some of them said they were employed by the agent there in Pittsburg to go to West Virginia to the coal mines to work there; some of them said they were employed to go to other coal mines, which I can not remember just at the present time; that they never knew where they were going until they actually got there; and that in all of these places, before they accepted employment through the agent, they asked whether or not there was any strike or labor trouble existing at the place they were to be taken to for the purpose of going to work, and were informed there was not. These people came regularly to me. Some-

times there would be 2 a day, and sometimes up to as high as 12 or 15 of them a day. They seemingly had come in from the Jamison Coal and Coke Co. works, complaining that conditions had been misrepresented to them, that they had escaped from those works, and that there were other people out there who would like to quit and go back to where they formerly came from, but they were afraid to leave for fear of getting a beating. On two of the occasions of which I speak they had broken noses; on other occasions they came in with black eyes. On two occasions fellows came in with what is known in pugilistic parlance as "cauliflower" ears.

Mr. MADISON. Explain the cauliflower ear.

Mr. SPIEGEL. It is a sort of thick ear, brought about by a blow of some sort. Seemingly, to get away from the deputies of the companies or from the several employees of the coal companies, they had to run a sort of a gauntlet. The men were taken off the train at the station, they were guarded there by officers, and taken and distributed around in the several works; then, when they would get to the works, they were provided with clothes. In some instances, the men told me, they were told at the company stores that the clothes and their board were to be free. Then they were taken to a boarding house, in charge of officers all the time, and at the boarding house they were kept. The next morning the officers met them at the door, took them over to the works, placed them in the mines, and told them to go in there and go to work. I have a lot of profanity that was used against them. They were compelled to work in those works until it was quitting time. Then, in the evening, the officers and policemen would meet them at the mouth of the pit, take them back to the boarding house, and carry them on, day in and day out, and keep them there in peonage, as it has been alleged here.

Mr. GARRETT. Has the State of Pennsylvania any statutes on the peonage question?

Mr. SPIEGEL. No, not to my knowledge.

Mr. MADISON. What wages did they pay them, the scale of wages that had hitherto been paid?

Mr. SPIEGEL. These fellows who came into my office, as I say, had escaped; they did not get anything.

Mr. MADISON. What were they promised?

Mr. SPIEGEL. They were promised from \$3.50 to \$5, and in a couple of instances \$7 a day, if they would come there. Most of these people who were brought in there to mine coal were fellows who had never dug a pound of coal in their lives, fellows who had been used to work in the mills around Homestead and McKeesport, and from around Pittsburg, and some came from Ohio, and it was represented to them that they were not to work in the mines, but on some outside jobs on outside work around the mines; but that when they got there they were forced to go into the mines and dig coal, something which they had never done before. That is the complaint they made. Here is an affidavit which will give you an idea. On the day this was made I think 12 or 15 of these men came into my office along about 5 o'clock in the afternoon, and Mr. McCartney telephoned up to me and said he would like to have me take their affidavits. I got a stenographer about half past 5, and she took down this affidavit, and I told those people to come back in the evening and I would take more of them. Some of them returned, but some

of them went on elsewhere. There is one thing about these people who came there and made these affidavits, they were people who were very ignorant, as a rule; they could not write. And they were seemingly people who did not know what to do, you might say, in any event. This affidavit that I will read now is the affidavit of Steve Volha, which I took about half past 5 in the evening. As I say, I took some others after supper. [Reading:]

I, Steve Volha, being duly sworn according to law, depose and say that I am a resident of the borough of Homestead, Pa., having lived there for the past eight months; my present address is No. —, Second Avenue, Homestead, where I board with —.

He did not know the number. He could not recall the woman's name, and I could not make it out, so I just left it blank, being in a hurry. [Continuing reading:]

For the past two weeks I have been out of a job; prior to that time I worked in the steel mills at Homestead, Pa., and Donora, Pa.

On the 5th day of April as I was walking along Fourth Avenue, in the Borough of Homestead, Pa., I was stopped by a man named Belo Terronski, who asked me if I wanted a job. I asked him what kind of a job he had and he told me he would give me a job working about a coal mine; that is, an outside job, as I understood I was to have. Belo Terronski told me that I could make at the job which he would get me for \$2.50 a day and that if I would work inside the mines I could make from \$3.50 to \$5 a day. He did not tell me where my place of employment was to be; he assured me there was no strike at the place where he would take me. He went with me to my boarding house till I got my trunk packed, then we took the 1 o'clock train from the Homestead Station to Pittsburg. At the Homestead Station about 22 other men had assembled for the purpose of going along with this man Terronski to get a job. At Pittsburg Station he took us all down into the basement, where we met 12 other men who were to accompany us.

This just follows out what I was telling you, that they took 20 to 40 men out to the mines.

We all took a train, leaving Pittsburg about 2.15, and went to Crabtree Station, Westmoreland County, Pennsylvania., from which place we were taken in wagons over to No. 3 works of the Jamison Coal Co. When we got to Jamison No. 3 works a policeman took all of us to a boarding house.

About 5 o'clock on the morning of April 6 we were all taken by a policeman over to the mouth of the pit; there we were furnished with tools and lamps and ordered to go into the mines to work. Six or seven of us refused to go into the pit. The policeman forced us all to go into the cage which carries the employees down the shaft into the mines. At the bottom of the shaft we were met by the fire boss who, with some others, assigned us places to work in the mines; two of us were placed in each room and told to go to work. My buddy and I complained to the fire boss about the place we were assigned to work, saying it that was dangerous and that the slate would come down on us; he then took us to another portion of the mine, accompanied by four others who were dissatisfied with the places assigned to them, and the fire boss said to us "You God damn hunkies, if you don't work here, I will kill you." The boss left us at this new place and went away, and as soon as he was gone we quit work; in fact, we hadn't done any work, and tried to find our way to the cage. Some old employees of the mine showed us the way to get to the cage; we got out of the mine at about half past 11 o'clock in the morning. When we got to the top of the shaft a policeman met us and took us to the boarding house that we were taken to the night before. After the policeman took us to the boarding house he left and went away; my buddy and I then went out and made an effort to run away from the works; we were caught by a policeman and taken back to the boarding house; after some time we again made another attempt to escape, in which we were successful. We arrived in Greensburg about 4 o'clock in the afternoon. I saw lots of men driven into the mines and forced to go to work by the policeman while I was out there; I talked with six or seven people who wanted to quit and go away from there; they were considerably frightened and afraid to leave for fear they would be beaten and clubbed by the policeman. All the new men that are taken in there are told that they must stay until they have earned enough money to pay the expense that the company was put to in getting them to the works.

STEVE (his x mark) VOLHA.

Sworn to and subscribed before me this 6th day of April, A. D. 1911.

Mr. HARDWICK. Where is that man now?

Mr. SPIEGEL. About Homestead somewhere. I do not know whether he is still boarding at Second Avenue or not.

Mr. HARDWICK. Is that about the general purport of all those affidavits?

Mr. SPIEGEL. Yes.

The CHAIRMAN. If that is the general purport, I suggest that you just insert the others.

Mr. SPIEGEL. This "buddy" of his makes the same affidavit—that is, that he knows the contents of that one.

The CHAIRMAN. Just insert those in the record.

Mr. HARDWICK. If you have any affidavit that shows a different state of facts from that, or substantially different, you might read that, I take it.

The CHAIRMAN. Yes.

Mr. SPIEGEL. Here are some other affidavits from people out there. These were written down by the United Mine Workers. They had some person who took them down.

The CHAIRMAN. What are those about?

Mr. SPIEGEL. About the post offices.

The CHAIRMAN. Let us hear them.

(Mr. Spiegel read several affidavits, which will be found in the appendix.)

Mr. MADISON. What do you know about violations of the treaty rights? That is one of the allegations. If you know something about that, I wish you would tell us.

Mr. SPIEGEL. I think there surely must be violations of the treaties we have with some foreign countries, if they provide for any fair treatment at all of their citizens while over here, because they certainly are not given a fair show out there.

Mr. HARDWICK. Have you looked into that question any?

Mr. SPIEGEL. No, I have not.

Mr. MADISON. It is the peonage matter you complain of as a violation of treaty rights?

Mr. SPIEGEL. Yes.

Mr. WILSON. I may say that I have examined a number of the treaties, and they almost invariably provide that the same treatment shall be given to aliens that is given to natives, "natives" being the term used.

Mr. HARDWICK. The idea being that if the peonage laws are violated, so far as the citizens of the United States are concerned, that the treaty rights are violated if foreigners are not given those same rights?

Mr. WILSON. Yes.

Mr. MADISON. Have any of these citizens of foreign countries been denied access to any of the privileges and rights of American citizens by the State of Pennsylvania, or anybody authorized to act for that State?

Mr. SPIEGEL. Yes, they have, to my mind, in this way: We have two laws that are prominently brought into this strike matter. One is the law against disorderly conduct, that is, providing a penalty for making a loud, boisterous or unseemly noise in the public highway, and the other is a trespass law, which provides a penalty in case anybody trespasses on posted private property. There have been known

to be cases out through our section where people have been walking along the public highway where there was no fence that separated the public road from the private property of these coal companies, they would be met by deputies and would get into an argument with the deputy, started by the deputy, and have been forced over on to the coal company's property, and have been arrested and brought before a justice of the peace and charged with trespass.

Mr. MADISON. Where was the discrimination in that respect against the citizens of different countries, because they were citizens of different countries?

Mr. SPIEGEL. Here is the way: In respect to the enforcement of those laws the justices of the peace in our State are given absolute jurisdiction to settle and determine those cases, and the only way in which you can get those cases appealed into our court of quarter sessions, which is the higher court, is by special allowance of the court; it is a constitutional provision—you can not take an appeal of right. These foreigners, many of them ignorant of our laws and ways, have been arrested on petty offenses and taken before these justices of the peace and told right then and there, without going through any hearing, that they would either have to pay so much fine and costs or be committed to jail; and in numerous instances, not knowing their rights, not knowing what to do, they have been forced to pay their fines and costs to these squires in order to get out of jail. In the situation out in Westmoreland County we have, to my mind, four squires who have made out of this strike situation anywhere from \$12,000 to \$18,000, I might say and be safe, and they have made it through no other way than simply taking it out of the pockets of these poor foreigners for these petty offenses they have been charged with.

Mr. GARRETT. Can not those justices of the peace be indicted for malfeasance in office?

Mr. SPIEGEL. They could, but you would have to serve notice on them for 30 days to make amends, and it is a hard proposition to attack them in any way at all.

Mr. MADISON. Has any complaint been made to the State Department or any complaint made to the representatives of these governments?

Mr. SPIEGEL. I think Mr. Gregg, who was here a minute ago, had some dealings with some of their consuls some time or other, before I got into this matter; that is, in the early stages of the strike.

Mr. FEEHAN. I desire to say that the present governor of the State of Pennsylvania has given an assurance that an investigation would be instituted by the legislature; or at least that he would urge it. A resolution to that effect was introduced, but in the closing hours of the recent session of the legislature the resolution was lost sight of. We failed to get action on it, although the governor was very anxious to have the investigation made. Senator Jamison, who is an official and stockholder in the Jamison Coal Co., is a senator there in the State Senate, and I have been informed that he was very much opposed to the investigation. It was largely through his influence, and the influence of the coal corporations, that this resolution calling for an investigation was not adopted at the last session of the legislature.

Mr. MADISON. What I was interested in determining was whether or not there had been an appeal made to the consular officers, or

other representatives from those governments, or to the State Department, and relief sought along those lines, before an appeal to us was made for an investigation?

Mr. FEEHAN. Yes, complaint was made to the attorney general of the State; also to the secretary of internal affairs, and to the governor.

Mr. MADISON. Of the State of Pennsylvania?

Mr. FEEHAN. Yes, the State of Pennsylvania.

The CHAIRMAN. But have you made any complaint to the United States Secretary of State?

Mr. FEEHAN. Not to my knowledge; not unless some of our attorneys have.

Mr. HARDWICK. Mr. Spiegel, it has not strictly anything to do with this proposition, but I would like to have you tell me why it was people were sentenced to three months' imprisonment for killing?

Mr. SPIEGEL. There are two of these justices of the peace in Westmoreland County who are located on the company's private property. One of them has a permanent station 5 or 6 miles away on his own property, but he fluctuates between those two offices. If it is a hearing concerning the Keystone Coal Co., he holds the hearing down on the property. This other justice of the peace is down about Herminie. I have never seen his office, but I have seen lots of his work, and they tell me that his office is on the Keystone Coal & Coke Co.'s property, and it evidently is, because on one occasion, to my knowledge, I sent people down there who I thought had got a very bad deal to get a transcript of the record, and they went down to go to his office to demand this transcript, which, under our law, they have a right to demand upon payment of 75 cents. I told them what to do, and gave them a note to this justice so that they would be sure to get what I was after. They came down a few hundred feet from his office, and were met by two or three deputies, and they had a dead line there, past which they could not go to get the transcript. They could not seek justice there. I think on one occasion Mr. Gregg was there last summer, on the Keystone property, at the office of the other justice of the peace, and I think one of the deputies there tried to bar him from going in and trying a case, if I remember rightly.

Mr. GREGG. That is correct.

Mr. SPIEGEL. Sitting here, you can not begin to understand how that place is hidebound by corporation rule.

Mr. MADISON. We want you to tell us about it.

Mr. SPIEGEL. Whether this will bring anything out or not I do not know, but we want to present this matter. We have been trying to get it before so many people that we feel as if we are lost unless we can get something done here. This investigation, to my mind, ought to be made here for many reasons; that is, the peonage affair, the post office, the interference with commerce, and having a moral aspect to it. I think this investigation should be countenanced.

Mr. HARDWICK. We can not take jurisdiction of matters in a State just because they have a moral aspect.

Mr. SPIEGEL. I say the other would carry with it the moral aspect. In answer to your question, an attorney from Clearfield County tried a case in which 18 deputies were charged with murdering some foreigner. As I understand, briefly the facts in the case were that there

were two or three foreigners brought to the coal company's works; that is, down at Yukon. They were not brought quite to the works, but before they got there they were intercepted by some strikers, who told them the conditions that prevailed and persuaded them to stop with some woman whom these strikers knew before they had gone on any company property. I think they kept them there for a day or so; that is, for a few hours, and they had intended to go back to where they came from. The deputies came up there and tried to get them to come to work for the coal company, and I think in the first attempt they sent three or four deputies up and they were not successful. So later on 18 of them came up the road in military fashion, armed, to this house, and in the house they got into a fracas of some sort over these people who did not want to come to work for them. Somebody there threw a stone or fired a shot and the captain in charge of the deputies gave the general command to shoot. I think they injured about 16 or 18 people.

Mr. HARDWICK. Where did the first shot come from?

Mr. SPIEGEL. The strikers contend it was one of the deputies who shot up in the air as a signal for the attack.

Mr. HARDWICK. Was there any evidence to the contrary?

Mr. SPIEGEL. You can get evidence on all sides.

Mr. HARDWICK. I say, was there evidence to the contrary?

Mr. SPIEGEL. I think there was.

Mr. HARDWICK. That was a matter of dispute?

Mr. SPIEGEL. Yes; that was a matter of dispute. This fellow who was shot was a fellow who, out of curiosity, came running out of his house to see what was wrong, and he was either shot as he was coming on the porch or as he was coming off the porch, and these deputies were tried.

Mr. HARDWICK. What were they convicted of?

Mr. SPIEGEL. Manslaughter.

Mr. HARDWICK. And got three months for manslaughter?

Mr. SPIEGEL. They got three months in the workhouse. They had spent prior to that time, I think, three months in jail.

Mr. MADISON. What was the occasion for firing the shots?

Mr. SPIEGEL. They claim that after the first shot was fired that there were stones thrown at them. I think that was their contention.

Mr. WILSON. Were they on the public road at that time?

Mr. SPIEGEL. I believe they were.

Mr. GREGG. It is hard to tell what are public roads on account of the streets on which the company's houses abut. It is what is called the highway.

Mr. SPIEGEL. I want to show you briefly another concrete illustration of what they are up against out there. I want to show you just exactly what we are up against out in the strike section. To my mind, you ought to infer from what I will illustrate here that there is some foundation for making this investigation as to the occurrences and as to the grievances we now complain of before this committee. There is a man by the name of Frank Kominski, who was evicted some time in the fall, last winter, from one of the Keystone Coal & Coke Co.'s houses, down near Madison. Quite a number of other people were evicted at the same time, their goods thrown out in the street, and they gathered their goods up and quite a number of them stored them in the basement of the Catholic Church at that place.

As I understand, the public township roads run here and there past the coal company's property, and off the public roads will be what they call private roads, upon which they enforce this trespass law, although they build blocks of houses off the public road and have a private right of way leading down to that. On this so-called private road leading off the public road, up on the top of a hill, was a church on the one side of the road and a schoolhouse on the other side, and in the basement of this church was where these people who had been evicted from their homes stored their goods. Along about January 17, about 3 o'clock in the afternoon, this young fellow by the name of Frank Kominski—who was not such a young fellow, either, being a married man—went up to get his goods out of the basement of the church. He had secured, it seems, a home in which to relocate. Prior to that time he had been in the tents there in the camps. This was along on January 17. Some of them did not get out of these tents until away in the midwinter. He went along up on this public road, up to the church, and he went in the basement and got his goods out and placed them in the yard, right next to the fence. After he had taken the goods out of the basement of the church, he jumped over the fence and walked down the road, and after he got about 200 yards from the church he was met by a deputy, one of the coal company deputies, who asked him who he was and what he was, and he told him his name and told him he was a striker. The deputy said to him, "You are under arrest for trespassing," and then took him down to the coal company's office and asked the superintendent what to do with him, and the superintendent told them to take him downstairs. In the basement of the coal company's office at Madison they have a private prison; they have handcuffs, which are attached to a chain, and the chain is attached to the hot-water pipes in the basement. They took this fellow down there, shut him up, chained him up to the pipe, and kept him there until morning.

Mr. HARDWICK. Practically all night?

Mr. SPIEGEL. All night.

Mr. WILSON. Handcuffed during that entire time?

Mr. SPIEGEL. Handcuffed and chained there during that entire time. In the morning they told the deputy to take him up to Greensburg. This deputy took him up to Greensburg. He started from Madison for Greensburg, which was about 14 or 15 miles from Greensburg, and a little longer than that by the train route, and he stopped at a place called Red Onion, and saw a squire; that is about 8 or 10 miles from the coal company's works. This squire I am speaking of is this fellow who has his office on the coal company's property, Squire Taylor. He stopped at that office, but the squire was not at home, so the deputy said, "We will go on up to Greensburg, which is about 2½ or 3 miles further on, and I will put you up in jail, and after a while I will bring you back before the squire." So this deputy lodged the man in jail without a commitment or any paper or authority from any officer of the law, that is, any justice of the peace, and the deputy left him and went away to Pittsburg, or some place else. From the information I gathered in the case the deputy got drunk and went to Pittsburg, and left the fellow in jail there for six days.

Mr. HARDWICK. He forgot all about him?

Mr. SPIEGEL. He forgot all about the fellow. The second day after this fellow was arrested a couple of his friends came up to my office

to find out where he was. I told them I did not know. We went down to the jail and looked over the records, but there had been no record made of his entry, and I asked the sheriff if it was not a fact that he might have been brought in there anyhow and just simply detained temporarily, but he said no. I looked over the records of the jail, but could not see any entry of him coming in there. His wife was nearly crazy about him. His friends thought they had him down there in the coal company's ice house, a sort of an improvised prison. I think five or six days afterwards the priest came up to the jail to have some other people discharged whose time was about up, and as they came out of the jail he asked these people whether there was anybody else in there from Madison, and they told him about this fellow. So he got the sheriff and asked him what the charge was, and the sheriff could not find his name on the records, and the fellow said he had been in there six days, so the sheriff opened the door and he walked out.

Mr. GARRETT. That presents an outrageous case; everybody would agree with you on that. But it could not be seriously insisted, could it, that no matter how many cases of that sort could be developed, the Congress of the United States could legislate in any way that would reach a case of that sort?

Mr. SPIEGEL. No. I am just giving you this as an illustration of the treatment that these people receive out there, so that you may draw the inference from treatment of that kind that there is something back of it that warrants an investigation by you as to these charges which we now prefer; that is, the interference with the post office, and the peonage system.

Mr. HARDWICK. Did you make any effort to get any relief from the governor of the State of Pennsylvania?

Mr. SPIEGEL. Mr. Feehan just said that they had a resolution down there in the lower house.

Mr. HARDWICK. To investigate?

Mr. SPIEGEL. Yes.

Mr. HARDWICK. I mean when all these outrages were committed, people shot up by other people and killings, did you ask to have troops sent over there, or anything of the kind?

Mr. SPIEGEL. We have the State police. They, with these deputies, who were legion, have handled the situation. They do not need any militia. These fellows can get along better than the militia can. That is, the fact of the matter is the strikers would rather have the militia than what they have at the present time.

Mr. HARDWICK. Is the present district attorney of the district in which Westmoreland County is located a fair man? Is he likely to give you a fair chance before the jury?

Mr. SPIEGEL. As fair as he can be under the circumstances. I do not want to say anything about that. He is a fellow who has been associating with these coal operators out there.

Mr. FOSTER. Did they get out an injunction against these strikers?

Mr. SPIEGEL. Yes; there have been five or six of them issued.

Mr. FOSTER. In the Federal court?

Mr. SPIEGEL. Not in the Federal court; in the common pleas court.

Mr. FOSTER. These men were arrested for a violation of this injunction; is that it?

Mr. GREGG. My recollection is there were at least four bills in equity filed, and in all of those cases decrees of injunction were made, and they have recently, within the last couple of weeks, I notice from the local papers there, been brought in on attachment for contempt of court, and I believe in one instance the court discharged them after giving them some instructions.

Mr. SPIEGEL. They were all discharged, about 20 of them. They were brought in the other day for contempt, but they were discharged.

Mr. FOSTER. These proceedings that you speak of were not for violations of injunctions, where they were put in jail and driven off the property, and things of that kind?

Mr. SPIEGEL. Oh, no.

Mr. WILSON. It was a general bulldozing policy.

Mr. SPIEGEL. I have just one more remark, which will take but a short time. I could give you at least 25 cases just along this line, to show you the kind of a deal those people have been getting out there.

This case is a case that concerns the Westmoreland Coal Co. There was a fellow at Rillton by the name of Stanley Zemaides, who resided at Rillton at the time this strike broke out, and he stayed out on the strike for some months after it broke out. He, like a great many other people in that field, after the strike had gone on for some months, left and found employment at some other mines where they would recognize the union. Along about January, I think, he left Rillton and went over into Washington County to work for the Pittsburg Coal Co. The Pittsburg Coal Co. recognizes the union and pays the union scale. While he was over at the works in Washington County working for the Pittsburg Coal Co., he fell in with another foreigner over there by the name of John Salkucke. This John Salkucke was a sickly sort of a fellow. He had some stomach complaint and had made some effort to restore his health, but it seemed that the doctors they had over there did not afford him any relief. So Stanley Zemaides, the fellow formerly from Rillton, and who formerly worked for the Westmoreland Coal Co., said to John Salkucke—this case was actually tried in court—"John, some day when we are not working you go along with me over to Rillton and we will go and see our doctor. I think he can give you something to cure your stomach." So on the 3d day of March they left Washington County—the place I do not recall—and arrived at Rillton along at 12 o'clock, got there in the street car, got off the street car within 50 yards of the doctor's door, went into the doctor's office, and found that the doctor was not in. He was out visiting his patients about the different works. They made an appointment with the doctor's wife to meet the doctor there at 4 o'clock that afternoon. Stanley then said to John, the sick fellow, "Come on and walk up the road a piece and see my sister."

You understand this man Stanley had a sister living there at Rillton, whose husband continued to work for the Westmoreland Coal Co. He did not come out on the strike, as I understand it. Up on this public road, which we will say runs like this [indicating] on the one side was a public house, on the private property of the Westmoreland Coal Co.; on the other side of the road there are lots sold off to private individuals and privately owned. They came up this road from the doctor's office down about where this book is [indicating], to see his sister. The walk, I think, was about three

minutes from the doctor's office to his sister's house. They came up to the sister's house, and Stanley walked over to the edge of the road near where his sister's house stood; the sister's children saw him standing there in the road, and this sickly fellow, John, was standing about 15 feet back on the line. His sister's children waved to them, and he waved back, and finally his sister came out on the porch and wanted him to come into the house. Stanley said, "No, I will not come into the house." He knew if he went on the coal company's property, notwithstanding the fact that he wanted to visit his sister, he would be liable to be arrested for trespassing, because, as I say, he formerly worked there, and he knew the treatment they had received. So his sister came out on the road where he was talking, and after they had been conversing there for a while, and this other fellow, John, was standing a few feet away, along came a deputy sheriff by the name of Charles Alvis. Stanley knew Charles Alvis before he went to Washington County. Alvis walked up to Stanley and said "Hello, Stanley," and they exchanged greetings there, and finally Alvis said, "Where are you working now?" Stanley pulled out his union card and showed that he was working over in Washington County for the Pittsburgh Coal Co., and the deputy said, "I see that is a union card." "Yes," said Stanley, "we are all union over there."

As soon as he said that to this deputy the deputy looked down on the road where he was standing and said, "Don't you see you are on coal company property? Don't you know you have to have a notice to come here?" Stanley said, "No; I am not on coal company property." He continued, "There is the post with 'no trespassing' on it, and the line goes right along here." You remember there was no fence between the road and the yard of that house. He said, "You see, I am 3 to 4 feet on the public road." As soon as he said that this man Alvis hauled off and hit him a blow with his fist on the jaw, staggered him, and knocked him over on the side of the road. Stanley jumped up and said, "What in the hell do you mean by anything of that sort? I am not trespassing; not doing anything." The deputy pulled his blackjack and attempted to strike this fellow Stanley. Stanley got scared and ran across the road into one of these private houses; that is, into the yard of where one of these private houses was located. As soon as he ran into the yard John got scared too, and he started to run. There was another deputy by the name of William Beach standing down the road some 150 yards, by a hotel. He saw the deputy strike this one fellow, and he saw the two fellows run into the yard and the deputy after them, so he came up. These fellows ran into the kitchen through fear; they were frightened. They did not know the parties in the house. They just simply were so frightened that they ran in there rather than run on the coal company's side, hoping to get some protection. On the porch of this house, just as the two deputies stepped up, they blew their whistles and another deputy by the name of Davis came on the scene. Then the three of them forced their way into the house and took these two fellows who had run in there and pulled their guns and started to give them a good beating with their blackjacks. The fellows ran past them. The deputies ran after them. One of the fellows grabbed hold of a tree and the deputies took their blackjacks and beat him there. I think, all told, one fellow testified he was struck

8 or 10 times over the head, and this sick fellow, who had not done a thing, had not even argued with the deputy, got a gash at least 2 inches long on his head; his head was bald and I showed it to the jury, and you could see it was a very severe injury the poor fellow had received. The brother-in-law—that is, the fellow who had married Stanley's sister—came across the street to see whether he could not intercede in some way, to see what the trouble was, and they took him along, and over to the squire's office, the three of them—the sick fellow, Stanley, and the brother-in-law—and the squire said, without any hearing, without giving them an opportunity to have a hearing, "You will either pay \$11 and some cents costs or else go to jail for 30 days."

Mr. HARDWICK. Without hearing any evidence?

Mr. SPIEGEL. Without hearing a particle of evidence, that is what they alleged in court, that the squire would not hear them at all.

Mr. HARDWICK. Did he dispute that?

Mr. SPIEGEL. He was not there; this just came out in the testimony. It did not concern this anyway; it was irrelevant. These two fellows who came from Washington County would not pay the costs, so they took them to jail, and they remained in jail, I think, for about three days. But they got tired and wanted to get back to work, so they paid their fines and got out, and after they got out they made an information against these deputies. This other fellow, the brother-in-law, would not pay, or else he did not have his money, and they took him back to the coal company office and brought him before Frank McLain, the outside superintendent of the territory, boss of the Westmoreland Coal Co. McLain did not know anything about the case, except what the deputies told him, that the man was arrested for trespassing. So McLain said, "All right, you pay \$8.64 and we will let you go." How on earth he could act as a justice of the peace and impose a fine on this fellow is more than anybody could understand. So this fellow came and paid his \$8.64, and McLain sat down and wrote a receipt out "Received from Benny Lencefsky \$8.64 for fine for trespassing. Westmoreland Coal Co., per B. F. McLain."

Mr. FOSTER. Was that business done in connection with the portable justice of the peace?

Mr. SPIEGEL. That was done by the Westmoreland Coal Co.

Mr. FOSTER. This transaction occurred in connection with this man who had the portable office?

Mr. SPIEGEL. He sentenced those fellows, yes; but McLain did not know anything about it. He just took the word of the deputy.

Mr. FOSTER. I thought possibly the coal company acted as collector for this justice of the peace.

Mr. SPIEGEL. I do not know whether they did or not. These two fellows preferred an information against these three deputies; they were tried in court this last term, and found guilty of aggravated assault and battery. They have not been sentenced yet.

Mr. HARDWICK. How much can they get apiece?

Mr. SPIEGEL. I do not know what they will get. In most of the cases that have been tried, where the deputies have been involved, the court has imposed fines—that is, the biggest part of them—and the coal companies have come forward and paid the fines.

The CHAIRMAN. Have you any other cases you want to submit for the record?

Mr. SPIEGEL. Only in respect to treatment these people have received. I could go on and cite numerous instances.

The CHAIRMAN. Are they along the same line you have given?

Mr. SPIEGEL. Just on the outrageous treatment these people have received up there in that community.

Mr. HARDWICK. The only difficulty about all that is that the Congress of the United States has no jurisdiction; that is a State matter.

The CHAIRMAN. I think the committee has heard enough to see the nature of the cases of which you complain.

Mr. WILSON. There have been hundreds of cases of this kind, have there not?

Mr. SPIEGEL. Oh, yes. I have a list here. I could pick out 30 cases that have been tried in court.

**STATEMENT OF HON. CURTIS H. GREGG, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF PENNSYLVANIA.**

Mr. GREGG. I do not know whether I will get here this afternoon, on account of my boy, and I would like to offer this suggestion. I understand there is an application made here for an investigation. This investigation should be made, to my mind, for at least one reason. In Pennsylvania we have an arbitration act, but it is not worth the paper it is written on. There is no way of forcing an arbitration even after they would find in favor of one side or the other. The law does not amount to anything. There is no national arbitration law. You have heard the facts detailed here, and these are but a few of the many instances that have occurred there. For instance, I know of having tried last year, in three terms of court, 400 cases. There were at least 15 murder cases tried and innumerable riot cases, assaults and batteries of an aggravated character. To my mind there ought to be some investigation of this matter with the end in view of enacting some national arbitration law.

Mr. HARDWICK. We have a national arbitration law now, the Erdman Act. I served once as an arbitrator under that act, but it must be limited, as the Erdman Act is, to the interstate commerce of the United States, and that would not fit your case anyway.

Mr. WILSON. I think I called the attention of the committee to the fact that a large number of these coal companies are not only miners of coal, but in their capacity as coal companies they own and operate a large number of railway coal cars, for transporting their coal from the mines into other States for sale and consumption. Take the Keystone Co., for instance. It has 1,500 railroad cars. Undoubtedly, in addition to being a coal-mining company, it is a carrier, if not a common carrier, in interstate commerce.

Mr. HARDWICK. Then so far as the strike affecting this operation of the carrier engaged in the business of interstate commerce is concerned, it would come within the purview of the Erdman Act; but so far as it was a miner of coal in the State of Pennsylvania, under the decisions the Erdman Act would not apply.

Mr. WILSON. If you go to the decisions, the decision of the Supreme Court in the latter case, the Loewe case, went further than any decision has ever gone before, and the Supreme Court in that case took the ground that the manufacture of hats in Connecticut, for sale in

other States, was interstate commerce, and that the sale of those hats in other States, even by retail dealers, was interstate commerce.

Mr. HARDWICK. Yes; but not being a lawyer, you can not draw the distinction I am trying to draw now. Maybe you have not; maybe you have. Take the sugar case, the E. C. Knight case. That is the case where the principle is very plainly laid down that where the business affected is manufacturing alone, and manufacturing exclusively within the limits of a State, the congressional jurisdiction does not apply.

Mr. GARRETT. In other words, the manufacture is not commerce?

Mr. HARDWICK. In the latter case not only was manufacture involved, but sale of a product throughout several of the States of the United States.

Mr. WILSON. Yes; that is true.

Mr. FOSTER. Does that apply to the coal?

Mr. HARDWICK. I do not know, myself.

Mr. WILSON. In deciding the case it was asserted that the manufacture of hats at Danbury, Conn., by the manufacturers, when those hats were made for shipment into some other State, came within the purview of the law.

Mr. HARDWICK. That is not the law.

Mr. WILSON. You read it and you will come to that conclusion.

Mr. HARDWICK. I have read that case very carefully, and I do not think it means that. If that were true, the Federal Government would have control over almost every intrastate business you could imagine.

(Thereupon, at 1.15 o'clock p. m., the committee took a recess until 2.30 o'clock p. m.)

AFTERNOON SESSION.

The committee reconvened, pursuant to the taking of recess, at 2.30 o'clock p. m.

STATEMENT OF MRS. JOHN P. FOX, OF PITTSBURG, PA.

Mr. WILSON. Mr. Chairman, I would like to have Mrs. Fox make a statement to the committee.

Mrs. Fox. Mr. Chairman, I have been gathering information in regard to the post offices up there, and I have a map with me of the territory, and photographs showing the "No trespass" signs on the different lots. I have taken only three instances, because those are the only three which came under my personal knowledge. The first is at Crows Nest, which is the name of a local village owned by the Keystone Coal & Coke Co., which is on the rural free-delivery route of Greensburg. Up to within a few days ago there were two post boxes at the entrance of the grounds of this company, which is on private property. One was for the Hempfield Supply Co., which is the supply of the corporation store; and the other was for the inhabitants of Crows Nest. On Sunday last, when I was there, the second post box, for the people, had been removed, so that all mail now distributed in Crows Nest, unless special arrangement is made with the Greensburg post office, goes through the Hempfield Supply Co. store.

Mr. FOSTER. Did you say this was a box for the public?

Mrs. Fox. Yes.

Mr. FOSTER. A box placed there where each person goes and puts in mail and gets out what belongs to him?

Mrs. Fox. I suppose they have some arrangement and sent some one up from Crows Nest to that box.

Mr. FOSTER. They left all the mail for these different parties in this box?

Mrs. Fox. In this one box; yes.

Mr. FOSTER. That box is for the general public there?

Mrs. Fox. Yes; for the general public of Crows Nest. I have not a photograph of that box, unfortunately. The second is at Luxor. The Luxor post office is in the Jamison Co.'s store, which is on the old township road running from Greensburg through to Crabtree. The road was built and is kept in repair by the Hempfield township itself. The schoolhouse is on the road, perhaps a quarter of a mile from the company's store. The road has been claimed by the Jamison people, through the pasting of the sign "No trespass" and injunction notices, as private property, making it impossible for anyone to get to the post office without trespassing. I think among those affidavits which were given to the committee was one from Robert Sullenberger, whose son Harry was denied admittance to the post office on the 12th day of May last.

Mr. GARRETT. Was any reason assigned for denying him admittance there, or do you know?

Mrs. Fox. I can not give you that, other than he was the son of a striker. The third instance is that of the Hannastown post office, at the Jamison Coal Co., No. 2, in their store, which is on private property. There is no way of reaching the post office from any of the county roads, except by trespassing. The road, even to the post office, is not given on the county maps. They have likewise taken and placed a Jamison Co. sign on the Pennsylvania Railroad entrance to the Hannastown post office, saying that a trespass is committed by anyone who goes on that railroad; but I have a time-table with me which shows that the Pennsylvania Railroad at that point is a passenger-carrying division, and is not a spur built for the purpose of carrying coal.

Mr. FOSTER. Do you know whether the mail at this post office is taken from the train, or is it carried in to the coal company's property?

Mrs. Fox. I do not know.

Mr. RUFFNER. It is carried by a private carrier.

Mr. FOSTER. From the post office?

Mr. RUFFNER. Yes, from post office No. 1 and No. 2, by private carrier.

Mr. FOSTER. And that post office is used by the general public?

Mrs. Fox. Yes. Hannastown is the oldest settlement up there.

Mr. FOSTER. And that is on the company's grounds?

Mrs. Fox. Yes; this post office is on the company's ground. That is my direct knowledge. Otherwise I have been through the strike region up there for the last eight weeks, and a condition pertains somewhat like this: On the 11th day of April I went through the Latrobe-Greensburg district, and I found 18 women who were expecting children, and among those 18 there was not one who had a nightdress, and there was not a piece of clothing there for any of those babies who

were to come into the world. I found the clothing. That is the poverty of the region.

There is one other thing that I want to say, and that is in regard to Pittsburg. It is impossible, or almost impossible, to get anything into any Pittsburg paper unless it comes from Washington. I went to the office of one of the papers the other day and tried to get a story in, but it was impossible to get it in. And that has obtained in Pittsburg for a long time. When I tried to get the clothing for these children—I live in one of the rich suburbs of Pittsburg—we had to do it this way: I met the committee in the afternoon before the men came home from business, and I had the clothing pledged, but we could not get in our schoolhouse on Easter Sunday an offering for these miners, because of the connection of the men in Thornburg borough with coal-mining companies. At the Episcopal convention resolutions were offered asking the governor of the State to bring out a bill for an investigation, and the papers again refused to make any mention of the fact, even when the 150 Episcopal clergymen of western Pennsylvania asked for an arbitration of this strike.

Mr. FOSTER. You say the newspapers refused to publish it?

Mrs. FOX. Yes; that is the feeling there is through that place. I saw the bishop of the Roman Catholic Church, because a great many cases came up in which Roman priests had refused to perform the offices incident to their calling. He told me that in Westmoreland County the conditions pertaining there were the same that had led to the French Revolution, and he has taken steps to make his priests, in spite of the coal companies, perform the offices which are the due of Roman Catholics. If there are any questions, I would be very glad to answer them.

The CHAIRMAN. Mr. Wilson, did you desire to ask any questions?

Mr. WILSON. No; I have no questions.

The CHAIRMAN. I think that is all.

Mrs. FOX. I have here some photographs which bear out the points I have been discussing.

The CHAIRMAN. I would suggest that you file those photographs as exhibits, but not to be printed.

Mrs. FOX. That is at your discretion.

The CHAIRMAN. I think we would like to have them to look over some time, probably.

STATEMENT OF MR. JOHN RUFFNER, OF LUXOR, PA.

Mr. WILSON. I will now call upon Mr. Ruffner, of Luxor, who is one of the strikers.

Mr. RUFFNER. Not one of the strikers; I am a farmer.

Mr. SPIEGEL. I think I can expedite matters here by questioning Mr. Ruffner. Then you can ask him anything in addition.

The CHAIRMAN. We will adopt that course, then.

Mr. SPIEGEL. Mr. Ruffner, you live at Luxor, Westmoreland County?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. How long have you lived out there?

Mr. RUFFNER. I have lived there all my life.

Mr. SPIEGEL. How old a man are you?

Mr. RUFFNER. Going on 54.

Mr. SPIEGEL. You live on a farm near the Jamison coal works?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. The Ruffner heirs, of which you are one, sold coal lands to the Jamison Coal Co., did they not?

Mr. RUFFNER. Yes, sir. We sold 69 acres and 60 odd perch.

Mr. SPIEGEL. And part of the coal land you sold them they are now operating on, are they?

Mr. RUFFNER. No; that is all taken out. They took more than that.

Mr. SPIEGEL. Mr. Ruffner, I believe there is a camp of the strikers on your farm?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. While you are not really a coal digger, you sympathize with the strikers?

Mr. RUFFNER. I used to dig coal. I dug coal about 14 years.

Mr. SPIEGEL. Not recently?

Mr. RUFFNER. Not for the last 12 years.

Mr. SPIEGEL. How many strikers were out on your farm last year? Can you remember?

Mr. RUFFNER. It ran from 75 to 100 men. There are a lot of women and children. Sometimes there are not so many and sometimes there are more. It will average, I suppose, 60 the year around.

Mr. SPIEGEL. It is just a small camp?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. There are certain strikers' camps situated around through the country where there are 500 or 600 strikers, are there not?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. Can you tell me about what time last year the tents that these strikers stayed in on your farm were taken down and shacks were put up in their stead for these people to stay in?

Mr. RUFFNER. It was along in the fall of the year. The snow had commenced to fly when they got through with it. It was very cold weather.

Mr. SPIEGEL. Coming down to the point involved in this issue, have you ever known occasions out there where the people employed by the Jamison Coal Co. were restrained from coming down to talk to the strikers, or forced into the mines, or anything of that nature; where restraint was put upon them to stay on company property, so that they could not exercise their free will in going where they pleased and doing what they pleased?

Mr. RUFFNER. They will not allow them to talk to anybody who is in sympathy with the strikers at all, and they would not allow me to go in. I sold butter and eggs there for the last nine years, and they arrested me for going in, and a squire fined me \$13 and some cents, but I would not pay it. I told him I would throw it to court, and he told me two weeks afterwards that he would dismiss the case and leave me go. But the man that bought the butter was told that if he would buy anything off of me he would be discharged; that they would not have anything for him to do.

Mr. FOSTER. Was that the justice of the peace who had a portable office?

Mr. SPIEGEL. No; this was another one. Mr. Ruffner, can you mention any instances where you have seen employees of the company escorted from the coal company's blocks of houses, in which these people lived, over to the mines, by officers?

Mr. RUFFNER. Yes, sir; I have seen the company's deputies taking men back and forward to work.

Mr. SPIEGEL. In the taking of these men back and forward to work, would they have to go out on the public road, or were they escorted by those deputies across the company property?

Mr. RUFFNER. Part of them would have to cross the public road, and part of them would have to go over this mail route, but that is on a private road; they arrest people on it.

Mr. SPIEGEL. Then that is really the company property on which they would go?

Mr. RUFFNER. Yes, sir; but they would have to cross the public road. The box is over here, and the public road runs here [indicating].

Mr. SPIEGEL. What works is this to which you refer?

Mr. RUFFNER. No. 1.

Mr. SPIEGEL. Is that the works near which you live?

Mr. RUFFNER. Yes.

Mr. SPIEGEL. How many works of the Jamison Co. are there in that locality?

Mr. RUFFNER. They have got No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6, all just handy.

Mr. SPIEGEL. They are all scattered around there within a radius of 3 or 4 miles, are they?

Mr. RUFFNER. Yes, 3 miles; they are hardly 3 miles apart.

Mr. SPIEGEL. Do these deputies whom the Jamison Coal Co. have interfere with people who pass along the public highways there; that is, going to and from the post office?

Mr. RUFFNER. No; I do not know whether I could say I ever saw them interfere with anybody going to the post office, but I have heard of it. I have never seen them do that.

Mr. SPIEGEL. You never saw that yourself?

Mr. RUFFNER. No; but I have heard of it.

Mr. SPIEGEL. Have they interfered with your neighbors in any way going to and from the post office?

Mr. RUFFNER. Yes; my neighbors all complain, and there are lots of people there who will not go for the mail; they are afraid of these deputies. I carry lots of mail for the people there.

Mr. SPIEGEL. They are afraid to go down to the post office themselves and get it?

Mr. RUFFNER. Afraid to go to the post office for the mail.

Mr. SPIEGEL. Why are they afraid to go to the post office to get the mail?

Mr. RUFFNER. There have been lots of them caught and beaten on the road.

Mr. SPIEGEL. By whom?

Mr. RUFFNER. By the company deputies.

Mr. SPIEGEL. Do I understand you to say that when you go to the post office you take lots of your neighbors' mail back home to them?

Mr. RUFFNER. Yes; they all ask me to fetch the mail. Sometimes some of them will go along.

Mr. SPIEGEL. I will ask you, from your experience and knowledge of conditions there, whether it is safe for people to walk along the public roads, near that post office, say by twos and threes, or singly, going along that road?

Mr. RUFFNER. No; I do not think it is. I had to take school children back and forward to school. As they would stand there, the deputies would get the children of the men who were working to whip the children of those who were striking. I also was appointed a sheriff's deputy on that account, because I had to take the children back and forth to school and to religious services, and I thought I might as well have that protection.

Mr. SPIEGEL. The deputies have even stirred up bad blood between the school children of the strikers and the "scabs," as you call them, have they?

Mr. RUFFNER. Yes, sir; that is what they have done. There is no school there going on now.

Mr. SPIEGEL. I understand; school is closed now.

Mr. RUFFNER. Yes, sir; school is closed.

Mr. SPIEGEL. There has been an injunction served on a great many of the strikers out in your section, has there not?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. That is, from marching past the coal company's property?

Mr. RUFFNER. That is what it is claimed.

Mr. SPIEGEL. I asked you whether or not the deputies on the coal company's properties have ever interfered with a peaceable parade marching past their works?

Mr. RUFFNER. Yes, sir; they have.

Mr. SPIEGEL. How many times have you seen them do that?

Mr. RUFFNER. I have seen them do that three or four times, stop people.

Mr. SPIEGEL. Not talking about this last one in which you were engaged, but other occasions, what have the deputies done when the strikers would come along the public road marching in peaceable procession, either going to Greensburg or some other point of destination?

Mr. RUFFNER. If they were going to Greensburg, there is a narrow place in the road; there was an old schoolhouse standing right on the corner, and at that point of the road it is not over 10 feet wide, and there 8 or 10 deputies will form on horseback and nobody get through them.

Mr. SPIEGEL. Are those deputies of the Jamison Coal Co. mounted?

Mr. RUFFNER. Yes.

Mr. SPIEGEL. How are they armed?

Mr. RUFFNER. They have revolvers and what they call a riot club.

Mr. SPIEGEL. You say that on any attempt of the miners to march past the works they would get down on the road and blockade the road and stop the people?

Mr. RUFFNER. They let us through once, going through there. That is the only time. There were about 40 men went through.

Mr. SPIEGEL. You were in a riot which recently occurred out there, were you not?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. What day was that, do you remember?

Mr. RUFFNER. On the 9th of May, I think.

Mr. SPIEGEL. I just want to show the men here what occurred there, and a little more, in regard to the treatment which these men received. On the 9th of May, how many people were in your parade? I will call it a parade.

Mr. RUFFNER. I guess there were from 150 to 175 people.

Mr. SPIEGEL. And they were coming, were they, from the camp established on your farm?

Mr. RUFFNER. Part of them were coming from that camp and part of them were coming from what they call Kearney's camp, about a mile above.

Mr. SPIEGEL. That is a camp above your camp?

Mr. RUFFNER. Yes.

Mr. SPIEGEL. They joined with the ones at your camp, did they?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. On that day where was this body of men going?

Mr. RUFFNER. They were going to Greensburg to hear Mr. White and Mr. Hayes speak.

Mr. SPIEGEL. Who is Mr. White?

Mr. RUFFNER. He is the president of the Miners' Union.

Mr. SPIEGEL. That is, he is the international president of the United Mine Workers of America?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. And on this occasion they were going to Greensburg to hear Mr. White speak?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. As you came near the Jamison Coal Works, just tell these gentlemen here, in your own way, what occurred there; that is, what was done, what was said, and what occurred.

Mr. RUFFNER. We were late in getting started that morning. We were to be in there at Greensburg about 9 o'clock, and I wanted to get my mail as we passed the company store—that is, the post office—and I told the fellows they should come on as soon as the other men came, as soon as they should see them coming, and I would go and get the mail, so that it would not hold us back any. I got to the schoolhouse and the road was blocked.

Mr. SPIEGEL. This schoolhouse is how far from the Jamison works?

Mr. RUFFNER. That is before you come to the company store; it is seven or eight hundred feet.

Mr. SPIEGEL. When you came to the schoolhouse what did you meet, and what occurred there?

Mr. RUFFNER. I think there were 10 deputies there and 1 State "constab," and they told us we could not get through, and I told them I was going after my mail and that these men wanted to go to town; that they wanted to hear Mr. White and Mr. Hayes speak. They said, "You can not get through." I said, "Leave the men go through, and if they do anything, arrest them. They will submit to a peaceable arrest." They said, "You can not go through at all." I saw that there was to be trouble, and I did not go after my mail. I did not get my mail that day, but I went back and waited until the men came up and told them, and they said, "That is the road to go," and we would have had to go a roundabout way from the Jamison property—that is, the farms that they owned, and the like; we would have had to go 5 miles around, easily.

Mr. SPIEGEL. That is, a roundabout way before you would get to Greensburg?

Mr. RUFFNER. Yes; there were other roads we could pass property. So the men said they would go through, and they started, and the deputies started to club. I have some of the marks on my head yet.

Mr. SPIEGEL. This was on the public highway, was it?

Mr. RUFFNER. This was on the public highway.

Mr. SPIEGEL. And about 800 feet from the post office located in the company's store?

Mr. RUFFNER. Yes, sir; it might be a little farther than that.

Mr. SPIEGEL. As I understand you to say, you went a little ahead of the main body of men to get your mail?

Mr. RUFFNER. Yes.

Mr. SPIEGEL. And you caught up with these deputies, did you?

Mr. RUFFNER. The deputies were standing there waiting.

Mr. SPIEGEL. They were standing there waiting for the parade?

Mr. RUFFNER. They were up there, drawn up.

Mr. SPIEGEL. When you came up to where they were—that is, after you came back from going down toward the post office—and caught up with the body of the men, you told these men to open up the road, did you, and let you through?

Mr. RUFFNER. Yes, sir; I asked them to open up the road and let the men through, and if they did anything they would submit to a peaceable arrest.

Mr. SPIEGEL. Were these men noisy or disorderly in any way?

Mr. RUFFNER. No, sir; they were not.

Mr. SPIEGEL. Then, when you fellows started to go through the ranks there, or the blockade they had put across the road, what did the deputies start to do?

Mr. RUFFNER. They started to ride us down with their horses.

Mr. SPIEGEL. Did they ride into your ranks or right alongside of your ranks?

Mr. RUFFNER. They rode right into us at this narrow place, and I told the men to take the upper road, above the schoolhouse, and then they divided and went up there and some got through below and some above. They kept hammering us, but not very hard, until we got up to the bridge, about half way up, when the State "constab" said, "I will have to charge on your men or they will go through," putting an oath to it. He said, "The sons of bitches will go through." Then is when we got our licks. They commenced to shoot our men, and they shot my brother.

Mr. SPIEGEL. What I want to get at is they rode into your ranks?

Mr. RUFFNER. They were hammering us the whole way up.

Mr. SPIEGEL. What were the men doing? Were they scattering away or were they trying to knock the horses down?

Mr. RUFFNER. There is a little creek there, and some of the men tried to get down in there; and there was an ash bank on the other side, and some of them crawled over there.

Mr. SPIEGEL. They jumped on to the side of the road, did they, and got around the deputies; is that how they got around?

Mr. RUFFNER. Some of them got around; some of them shoved right on through, whenever they got a chance.

Mr. SPIEGEL. When these deputies rode into your ranks and used their clubs, how many people did they beat up?

Mr. RUFFNER. There were a good many hit. Bert Koons and my brother and I were the only ones seriously hurt.

Mr. SPIEGEL. In this mêlée they shot your brother, did they?

Mr. RUFFNER. Yes, sir.

Mr. SPIEGEL. Where is your brother now?

Mr. RUFFNER. He is in the Hospital of Mercy in Pittsburg.

Mr. SPIEGEL. Whereabouts did they shoot him?

Mr. RUFFNER. Right in through here [indicating chest]. They probed for the ball and got it right in here [indicating]. He was shot again through here [indicating stomach]. There was another shot through his clothes, but it did not hit him.

Mr. SPIEGEL. Who was the fellow who shot your brother?

Mr. RUFFNER. Harry Travis is what they say. I did not see my brother getting shot.

Mr. SPIEGEL. You were not in that part of the trouble?

Mr. RUFFNER. I was there pretty handy, but I had enough to look after at the time. There were four at me with their clubs.

The CHAIRMAN. How many times did they strike you, and where did they strike you?

Mr. RUFFNER. They got me twice over the head.

Mr. SPIEGEL. How many fellows got on you at the time they struck?

Mr. RUFFNER. I only know of two; but everybody says there were four on me.

The CHAIRMAN. How many times did they strike you?

Mr. RUFFNER. I was sore all over; but while I was up on the level with them, I had a club something the shape of a ball bat, about that long [indicating], and they could not hit me. But after I got in the water table, where they shoved me, there is where they pounded me.

The CHAIRMAN. Were you fighting back?

Mr. RUFFNER. Of course I was; all I could.

The CHAIRMAN. Of what nationality are you?

Mr. RUFFNER. German.

Mr. Pou. What were you doing at the time they inflicted those wounds? Had you done anything to provoke the fight?

Mr. RUFFNER. Whenever I saw anybody getting into trouble I went to the rescue. I was there as a peace officer, and that is what I was trying to keep.

Mr. SPIEGEL. I might make a statement here, that since the time the sheriff has fallen out with the coal company, about which I spoke this morning, the sheriff has sworn in a lot of strikers as deputy sheriffs for their protection, you understand; that is, to keep peace and good order along in their lines of march, when they travel from one camp to a meeting place, or from one camp to another; and Mr. Ruffner, at the time of this riot, was a peace officer; he was a deputy sheriff. How many other deputy sheriffs were there at the time?

Mr. RUFFNER. I think there were about six there.

Mr. SPIEGEL. There were six of these deputy sheriffs guarding and protecting that march that was going along there. After the sheriff fell out with these coal companies, some of the coal companies got, as peace officers, what we know as coal and iron police; they are appointed by the governor. And then they got another kind of a peace officer, all practically endowed by the same power as police officers, known as deputy constables. They are appointed by the courts, the court of sessions. They are appointed on petition of 25 citizens of a township stating that the necessities of the occasion demand extra police protection; and upon that petition the court will appoint for these coal companies policemen to take the place of these deputy sheriffs they formerly had; that is, under the sheriff, and under

Capt. Tanney, as I explained this morning. There are three or four different kinds of peace officers in existence out there, all having, perhaps, about the same authority; and yet there is a great deal of conflict among them as to just what their authority is.

Mr. Pou. How many persons were hurt in the riot?

Mr. RUFFNER. There were a lot of them hit with their maces, and the like, but they were not abused badly.

Mr. Pou. Was that riot brought about merely by the fact that the miners were marching toward Greensburg to hear Hayes and White speak?

Mr. RUFFNER. Yes, sir; that was the cause of it.

Mr. Pou. Where any of them armed?

Mr. RUFFNER. I told our men that the first man I would catch any arms on I would arrest and put in jail.

Mr. Pou. Did anybody have a stick or a club, so far as you saw?

Mr. RUFFNER. None but the officers, six or seven of us; I do not know just how many they were. We all had clubs. I had two revolvers in my pocket. I could have killed the man in front of me just as easy as not. I made him put his revolver back in his pocket, which he had out to shoot me. I made him put it back. I did not want him to commit any murder.

The CHAIRMAN. You left your revolvers in Pennsylvania? [Laughter.]

Mr. RUFFNER. Yes, sir. They were only borrowed, anyway.

Mr. Pou. You say the sole cause of this trouble was the fact that these men were proceeding to march across the company's property in a peaceable procession for the purpose of hearing these two men make a speech?

Mr. RUFFNER. Yes, sir; that is, on the public road.

Mr. FOSTER. This was a public road?

Mr. RUFFNER. It ran through the company's property.

Mr. WILSON. Do you know if it was a general policy on the part of those deputies to stop men who were traveling in bodies, from one place to another, to attend meetings, when they came close to the company property?

Mr. RUFFNER. They do that all the time; no matter where they catch a body of men out they will stop them and try to run over them. These deputies even run over chickens on the road, they go so fast.

The CHAIRMAN. Are those things going on that way now?

Mr. RUFFNER. They are not riding so fast over the roads. A petition was filed in court that stopped it a little. The neighbors are seeing that we are getting a little more protection than we had.

Mr. Pou. These officers of the company, then, have instructions not to allow any large body of men to congregate and march, even though they do it peaceably?

Mr. SPIEGEL. They have no such instructions, but they do it.

Mr. Pou. Why do they do it?

Mr. RUFFNER. These deputies say that anything they do the company will stand behind them. If you would go up the road you would be just as liable to get it as I, if they thought you were looking after anybody.

Mr. SPIEGEL. I want to say now that there is a matter that I left out this morning. As I said this morning, there are perhaps four or five restraining orders, injunctions, that have been granted at the

instance of the coal companies. At the Jamison Works, where they had their deputies stationed, instead of permitting the courts to determine whether the marches have been in violation of the injunction and order of the court, these deputies stationed out at the different coal companies determine for themselves whether or not the injunction is being violated; and when there is any march or peaceable procession moving from one camp to another, or any other place, that must of necessity go along the public road, being the most convenient road to the place they are going, these deputies will get out on the road and blockade the road and stop them, and say, "These fellows are violating the injunction." They will not haul them before the court for contempt, you understand, to show cause why they should not be held in contempt of the order of the court; but they will take it upon themselves, as the judges, to say whether or not, in the first instance, the injunction is being violated. That is one of the things that has caused the trouble about Jamison, simply because these deputies have determined these questions for themselves. The court never vested any power in them to prevent marches, either peaceable or disorderly marches, you might say. It never gave them power to step in and break up a march; and the court has repeatedly told the deputies that they have not any authority to go in and break up a peaceable parade; and yet, out there at the Jamison works, every time there is a parade or a body of men going along the public highways these deputies get out on the road and blockade the road, and it is either a question of them forcing their way through the deputies or going away around a roundabout way, 6 miles, by another road.

Mr. POU. You say the deputies assume that the miners are violating an injunction?

Mr. SPIEGEL. They assume that themselves without a hearing before the court.

Mr. HARDWICK. What do they do to them, arrest them for it?

Mr. SPIEGEL. They simply blockade the road, and there is a clash of authority right there, whether they have a right to go past, or whether they do not have, and if they insist they have the right to move along the public highway, and the deputies do not break, it precipitates a riot. That was the cause of this riot. These people claimed they had a right to march peaceably along that road to come to Greensburg to hear President White make that speech, and they were marching along there in a peaceable and orderly procession, and guarded by Mr. Ruffner and three or four other deputies in order to keep the men from creating any disorder in marching past those works; and they were met by the deputies, who told them they could not go through, and they knew that unless they forced their way through, they would have to go by this roundabout way. So they started to ride in on them with their horses, and started this riot. Shortly after this riot occurred, just to show you what the farmers out there think of these coal companies keeping the deputies riding over the public highways and creating disturbances, they came into my office one Friday afternoon, and asked me to draw up a petition. They stated the complaints they had, and I drew this petition and told them to have it in court by Monday morning. They brought it in court Monday morning. This is a petition that was signed by 99 persons, and I think 85 or 87 out of the 99 are farmers.

Mr. HARDWICK. Suppose all this be conceded, what have we to do with that? How can we help that? If the State of Pennsylvania is not enforcing its laws, can Congress come in and intervene just because the State is not doing it properly? Why not confine the testimony to the points over which we have jurisdiction?

Mr. SPIEGEL. I understand you want to stick to the issue.

Mr. HARDWICK. To the violation of the Federal statutes.

Mr. SPIEGEL. If you will indulge me just a moment, I will stop and let Mr. Ruffner talk.

Mr. HARDWICK. I would like to hear all you have to say on those points; that is, where any violation of the Federal statutes has occurred.

Mr. SPIEGEL. I think this petition itself will show you the nature of the deputies they have traveling up and down the public highways, galloping on horseback, scaring and frightening people, and holding them up and frightening the teams, and it will show why the people in that vicinity are afraid to go to the post office to get their mail. The petition sets forth:

We, the undersigned, being citizens and taxpayers of Salem, Hempfield, and Unity Townships, in said county, respectfully petition your honorable court to take such action as deemed advisable toward keeping the mounted deputy constables employed by the several coal companies in said townships on company property.

Your petitioners complain that said constables are constantly galloping and parading on the public highways to the great danger and annoyance of the travelers thereon. That said deputies conduct themselves in such a manner that it is unsafe for teams, and women and children are constantly exposed to great danger in going to and from school and in using said roads for other proper purposes.

That many of the deputies are at times under the influence of intoxicating drinks and are not in a fit condition to exercise care toward peaceable travelers on the highway.

That no condition exists on the roads of said locality which justifies the frequent galloping of mounted police on said roads as above stated, and the peace and good order of the community requires that the court shall issue an order defining the duties of said deputies.

Right after this riot they had there, the farmers got right up and complained to the court. Mr. Ruffner here is one of the farmers, and has the respect of all the farmers out in that community. He has been one of the pioneer settlers, he and his family. The farmers became so enraged at the outrageous acts of these deputies that they petitioned the court in this manner. Now, if you have any questions, I will let the others talk.

The CHAIRMAN. Mr. Wilson, have you anyone else? I will ask you to confine the statements to the questions that Congress can deal with, so that we can get through.

STATEMENT OF J. K. LITTLEWOOD, OF GREENSBURG, PA.

Mr. WILSON. I will ask Mr. Littlewood to state what he knows about peonage, what he knows about the post-office situation, and what he knows about desecration of the flag.

Mr. LITTLEWOOD. Mr. Chairman, for the last five years prior to 1910 the conditions in Westmoreland County have been getting worse from day to day, as you might say. I am one of the strikers. I am a coal miner, and have been one all my life. In 1905 the Keystone Coal & Coke Co., where I was employed, paid the miners 69.5 cents for a wagon of coal that contained one ton and a half. From 1905

to 1910 our wages had been reduced for that same wagon of coal, of the same amount, to 53 cents; while in the Pittsburg district they had gone over that in percentage in advance.

On the 15th of January, 1910, the operators of the Keystone Coal & Coke Co. advanced the miners there 5 cents a wagon, which made their wages 58 cents. At the same time they did this they put in the mines the safety lamps and the new explosive, carbonite, something that had never been in the mines before in or around Greensburg. Having to work with a safety light reduced our wages considerably, and when they did introduce the safety lamp the cost on the miner was 5 cents a day for that light or lamp: whether he worked or not, he had it to pay. The case got worse, and the men called a meeting for the 1st of March to study this question, and as the miners there represented only one mine, they adjourned until the 4th. The organization was formed that night. I suppose about 450 men joined the United Mine Workers, and the very next day, from Saturday to Monday, there were 100 men discharged, and for that reason, it was supposed—joining the organization. I had been in their employ for 25 years, and I was one of those who were discharged. They asked me if I had joined the organization, and I said, yes, I had. I did not want to lie about it. They said, "Are you going to stand by us or by the organization?" I said, "I have joined the organization, and that is all." So they just told me I could get my tools out of the mines, that I was discharged. That was on the 7th of March. The men had no thought of striking, none at all. I never heard any talk of a strike. The men called another meeting for the 9th of March, and I being a striker did not go to that meeting. But that night the men had their meeting and resolved to strike until the men who were discharged were reinstated, and they drew up resolutions demanding the Pittsburg scale of prices, the eight-hour day, etc.

The CHAIRMAN. What was your scale of prices there in Westmoreland County?

Mr. LITTLEWOOD. We had no scale of prices. We just had to take what the companies had a mind to pay us.

The CHAIRMAN. What was that?

Mr. LITTLEWOOD. We had 58 cents a day at that time for a wagon of coal containing a ton and a half.

The CHAIRMAN. How much would that average the miner a day for the work he did during the month or during the year?

Mr. LITTLEWOOD. I had been working in that mine and I could make five wagons with a naked light, but it took one wagon a day off of me when they put the safety lamps in. I could only dig four. It reduced my wages that much.

The CHAIRMAN. That would amount to four times 58, then?

Mr. LITTLEWOOD. I could dig five wagons a day when I had the naked light, but when I got the safety light it reduced my wages. I could not dig five; I could dig four.

Mr. POE. \$2.32 was about all you could make using the safety light?

Mr. LITTLEWOOD. Yes, sir; and the new explosive that they put in. I would like for you gentlemen to understand this.

Mr. WILSON. Out of that \$2.32 did you have to buy your own oil, your own wicks, your own powder, and your own tools?

Mr. LITTLEWOOD. We had to buy our own oil. I will not say that. We had to pay 5 cents a day for the lights.

Mr. WILSON. That was after the safety lamps were introduced?

Mr. LITTLEWOOD. It was the same time.

The CHAIRMAN. About how many days of the year would you work?

Mr. LITTLEWOOD. I have worked there, gentlemen, when I have not seen daylight for 13 or 14 days. I worked Sundays. That was some years ago, when the coal business was good. But of late years in the summer time the trade fell off. But I have worked 13 days and never saw daylight, in the winter time, many times in the 25 years I have worked there. I have been at work on Sunday. I was threatened; I could just bring out my tools, there was no work for me on Monday, I could just leave and quit the place.

As regards peonage, I do not know of any one person who has been kept in peonage, but I have been in marches from the different camps. Last summer we would give one another invitations from one camp to another, and we would go. I have seen the men who were working in the mine, what we commonly called "scabs," assemble there, and they would have come into our ranks and joined the union, joined the organization, but they would line up their deputies, and the superintendents would be there, and if they offered to leave to come into our ranks, the deputy sheriff, or constables, and even the superintendents themselves, would club them back. They would not let them come out.

On the 28th day of July last year we gave an invitation from the camp down at Jamison No. 1 to Greensburg. We had a camp there, and we gave them an invitation to come over. They had not many men there, as Mr. Ruffner said, about 125 or 150, and they walked from there over to our camp at Greensburg. They got to Greensburg and went to the camp, and we went in a body there, and got there before the coal companies knew anything about it. But we were nowhere near the mines; we were on the public roads and the paved streets. We were never any closer to a mine than a mile. We got down to our camp, over a mile from the nearest mine. The ex-sheriff heard about it, and he thought he would stop us from coming back, and he told some of the men there would be blood shed if we came back that way. I was not a leader. Of course, I was president of the local there, and I did not want to get into trouble or see any of our men abused. I knew where the sheriff was. I went to him and I said, "I heard that you said if we came this way back there would be blood shed," and I said, "If there is, you will be held responsible for it." I said, "This is the public road. Do you not know you are violating an injunction?" I said, "Sheriff, we are a mile from the mine and there is no company property here at all." There was not; not within hundreds of yards. I said, "We are a mile away from the mine, and we shall surely come this way back. We are not violating any injunction law." So, when we were ready to come back we came back that way, and we came up the street to the north and then had to go south. We got there, and there the ex-sheriff was. I do not know the actual number of deputies, but I heard some one say there were between 40 and 50; may be there were 45.

Mr. SPIEGEL. Without going into that any further, do you know of any desecration of the American flag by those deputies? If you do, I would like to have you tell the committee about that; what the occasion was, and about when it was, if you remember?

Mr. LITTLEWOOD. On the 28th of September last the camp at Deweyville, a place about 10 miles from Greensburg, gave us an invitation to go to their camp. So we started to the camp, and when we got to a place called Crabtree there were about 250 miners; it was a pretty warm day, and we did not all turn out to walk that far. But when we got to Crabtree we were met by the deputies, some on horseback and some on foot, and they halted us there, and said we could not go; that we were violating an injunction.

Mr. SPIEGEL. What did they do when you went up there?

Mr. LITTLEWOOD. They said we would have to wait there until the constabulary came. We waited there until the constabulary came, and I spoke to the sergeant of the constabulary, and told him we wanted to go down to this meeting at such a time. He said, "Do you not know you will be violating an injunction?" I said, "No; I do not believe we will." He said, "I will let you go through there providing you walk 10 feet apart and take down the American flag and furl it and put it under your arm."

Mr. SPIEGEL. Did you have the American flag floating to the breeze that day?

Mr. LITTLEWOOD. Oh, yes.

Mr. SPIEGEL. How was your line of march when you came up and met the constabulary?

Mr. LITTLEWOOD. In good order, marching on the public street.

Mr. SPIEGEL. And he told you he would not let you go by there unless you broke ranks and marched 10 feet apart and furled the American flag and put it under your arm?

Mr. LITTLEWOOD. That is what he told us, and that is just what the men did; they furled it up and carried it under their arms.

Mr. WILSON. Do you know of any other occasions like that?

Mr. LITTLEWOOD. On another occasion, in September—I was not there that time—there was one who had joined the United Mine Workers by the name of John Campbell. He was a hero of the Spanish-American War and he was back there—he had been a resident of Jamison—and for some misdemeanor or other—I am not quite able to say what this hero had done down there—he was cast into jail at Greensburg, and he contracted a cold, was taken to the hospital, and was getting worse in the hospital. He longed to go home to his wife and family, and he was sent home and died. We wanted to bury him with honors, as near as we could, and we had to get permission of Judge McConnell to go to that funeral. The men went. I had some other business that day, so that I could not go; but we sent a big body of men down there to that funeral, and on their way to the funeral—they were going to bury him with honors—they were going under the American flag, and the deputies and the Jamison people—I believe it was Thomas Jamison—stopped that march, and told them to take down that flag and furl it up, and so they did.

Mr. POU. Why did they object to your floating the American flag?

Mr. LITTLEWOOD. I could not answer that.

Mr. POU. Haven't you any idea what their object was?

Mr. LITTLEWOOD. I have an idea, but I would not know that this would be true. I suppose whenever they saw the strikers marching and saw the American flag floating, these men working, whom they

commonly called "scabs," would see them and they would want to get behind that flag. I could not say that is a fact. This man Campbell was awarded a medal for his bravery. He was color bearer of the regiment he was in in the Spanish-American War.

Mr. GREGG. He was with the fighting Tenth.

Mr. LITTLEWOOD. I was not there to see that, but we have scores of people we can put on the stand who were there to verify that statement. Now, gentlemen, I could not tell you anything about the post offices, except what I have heard from the people you have heard to-day. I have not seen that.

The CHAIRMAN. If you do not know anything it is not necessary to say anything.

Mr. LITTLEWOOD. I do not know anything about that. I live in Greensburg, and I have access to the post office there on the public streets, and I am never much out after night in those country places.

Mr. WILSON. I would like to ask if you have ever met any men who escaped from the stockades, who claimed that they had been detained there?

Mr. LITTLEWOOD. Yes; I am the president of the executive committee; Mr. McCartney is the secretary. In the last eight or ten months we have met men, or they have come to the office of the United Mine Workers in Greensboro, from one to a dozen, saying they have escaped from the Jamison works. Some were abused, and some had got away during the night the best way they could. They told us, Mr. McCartney and me—I am sorry I have not those affidavits he took—that the men were taken in the morning and driven to the mines; they were met and brought back again at night, and they were kept in peonage; they would not let them out.

The CHAIRMAN. What is your nationality?

Mr. LITTLEWOOD. I am an Englishman.

The CHAIRMAN. What percentage of the miners around there are of foreign birth?

Mr. LITTLEWOOD. The people in the mines around there at the time the strike was inaugurated were 70 per cent of foreign birth.

The CHAIRMAN. These people we have been talking about all day?

Mr. LITTLEWOOD. I include myself.

The CHAIRMAN. I say, these people we have been speaking about all day, the miners and workmen; you say 70 per cent of them were of foreign birth?

Mr. LITTLEWOOD. That is, around Greensburg.

Mr. WILSON. I might state, for the information of the chairman, that in a report made some two years ago by Mr. Roderick, chief of the bureau of mines of the State of Pennsylvania, he stated that 62 per cent of all the men engaged in bituminous coal mining in the State of Pennsylvania were of foreign-speaking nationalities, not including German and French—and of course we do not include those from the English-speaking countries; and that 50 per cent of all those engaged in anthracite mining were of foreign nationalities, not including Germans and French.

The CHAIRMAN. What percentage of these would you say had been naturalized?

Mr. LITTLEWOOD. That would be a very hard question for me to answer.

The CHAIRMAN. Can you make some estimate?

Mr. LITTLEWOOD. Yes. If I was to take the people I have known for 25 years, as I have lived in Greensburg, I could swear that I know 28 or 30 per cent have been naturalized. I will say that I know 40 men I have worked with in the mines have been naturalized—that is, foreigners.

The CHAIRMAN. That is all.

Mr. WILSON. Nevertheless the large percentage of those who are working there are not naturalized, and I think during the past 108 years there have been only 8,400 naturalization papers issued in Westmoreland County, though of course some of them may have been naturalized in other localities. The bulk of them, however, who are there now, have remained in that county since they have arrived, and yet, notwithstanding that fact, there have been but 8,400 naturalization papers issued in 108 years.

The CHAIRMAN. I think his statement must correspond with your view of it.

Mr. LITTLEWOOD. Mr. Chairman, I may state that I do not believe there are above 5 per cent of the old men who came out on strike on the 10th of March that have gone back to work. We had a great many Swedes in the works where I worked, and the Swedes are good citizens. We have had at our office a great many men who have escaped from the mines, who have never before seen mines, but were imported, and they took them by the hundreds from the landing ports in cattle cars down into their plants, and they have left as fast as they could get away. I have seen them come into the office at Greensburg and tell their story how they had had a miraculous escape from getting beaten up. Some were beaten up, but I could not give the names. But I may state that the class of men they have now are chiefly Southern Italians. I do not want to be antagonistic, but I do not believe there are a great many of them who are citizens of the United States. If any gentleman has any other question he would like to ask I will answer it.

Mr. SPIEGEL. Mr. Chairman, I would like to hear Mr. Gregg for a short time.

ADDITIONAL STATEMENT OF HON. CURTIS H. GREGG, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA.

Mr. GREGG. Mr. Chairman, I do not know of anything I can add to what has been said. The conditions for the last year have been just about as detailed here. Since along about the 1st of April, of course, I do not know very much about what has been going on out there, but beginning with about the 10th of March there has been a great deal of disorder all through that section. In fact, I think I stated here this morning that in the May, August, and November terms of last year I either tried or assisted in the trial of some 430 cases in the criminal courts growing out of this trouble, and probably a thousand cases where the justices of the peace took original jurisdiction and had summary jurisdiction of these trespass and disorderly conduct cases. All those were perfectly ex parte hearings. Those are the conditions that are existing out there, just as these witnesses have detailed.

There have been great complaints made about the interference with people going to the post offices. I recollect being present at a hearing in the town of Irwin, which is within this belt.

Mr. HARDWICK. Excuse me just one minute. You represent that district in Congress, do you not?

Mr. GREGG. Yes, sir.

Mr. HARDWICK. Have you called the attention of the Postmaster General and of the Post Office Department to this state of affairs?

Mr. GREGG. No; I have not since I have been here. I made one investigation since I came here in regard to the removal of a postmaster at a town called Arona, which is about 5 miles, I presume, from Greensburg. A man by the name of Kimmel was the postmaster there, and, as I discovered from the records in the Post Office Department down here, Kimmel had been removed. He owned a store. He was a strike sympathizer, and I think probably a miner before the strike occurred. There were some complaints filed against him to the effect that a great deal of disorder and profanity and things of that sort occurred in the post office, and that it was not a fit place to have a post office. There were petitions filed pro and con, and I learned from the First Assistant Postmaster General that an inspector had been sent there, and that he had made an investigation, the result of which was that the postmaster was removed and another one appointed in his stead—another storekeeper. The cause of my going to the Post Office Department here was that similar allegations had been made against the new postmaster—that he represented the other side of this question—and that was the way it remained. No action has been taken. I know as a fact, in so far as this post office at Arona is concerned, the mail I have received since here from people who live in Arona, which is the small borough, I think probably six or seven hundred inhabitants, something of that kind, mostly miners, has come through the Greensburg post office. They will not patronize that post office at all, and that was what was set forth in some letters I have on file in my office.

Mr. POU. How many persons are there out on strike there?

Mr. GREGG. My information at the time of the inception of the strike was that there were about 15,000—15,000 to 18,000.

Mr. FEEHAN. At the present time there are between six and seven thousand miners out.

Mr. GREGG. I was about to remark about this other post office. At the time of this hearing at Irwin before the justice of the peace, it developed that two men had been arrested, had been brought to this town of Irwin from a place called Yukon, and that they had been placed in a lockup in Irwin, where they had remained some 36 hours without having any hearing. My attention was called to it over the phone, and I called up the justice of the peace, who was a very fair man—I will say that for Squire Frederick, a very square, reasonable man. He said he knew nothing about it, and I took the train and went down there. I discovered, however, that the squire had made some investigation himself, and the complaint had been lodged against these two men for trespassing upon the property of the Westmoreland Coal Co. We immediately went into a hearing when I got there, and at the hearing it developed that these two men were on the road to the post office at Yukon, and had stopped, one of them, with a letter in his hand, with a stamp on it, the other accompanying him to see

if there was any mail. When they stepped off of the public highway and up on to the private property of the Westmoreland Coal Co., two deputies took them in charge and arrested them. The squire heard all the testimony, and while it was true that they were on the property of the Westmoreland Coal Co., and had technically violated the law of Pennsylvania, he discharged them immediately, and said that a great mistake had been made that the information had not been laid against the officers for assault and battery.

Mr. GARRETT. Are there plenty of places down there where post offices can be established not on the company's property?

Mr. GREGG. Plenty of them.

Mr. HARDWICK. If people are prevented from having free ingress and egress to and from the post office, the department is bound to give you relief; do you not think so?

Mr. GREGG. I do not know about that; that is a question that would take probably six or seven months, or maybe a year to revolve down here at this department.

Mr. HARDWICK. I do not know about that.

Mr. GREGG. I called this particular case to which I refer to the attention of the Pittsburg office of the United Mine Workers. I live just 31 miles east of Pittsburg, and I called the attention of the Pittsburg office to that case, and told them to take it up with their general counsel at Pittsburg, Mr. Brennan, so that he could present the matter to the United States district attorney. What action was ever taken on that I do not know.

Mr. POU. On the peonage business?

Mr. GREGG. No; the Yukon post-office case, where these men have been arrested.

Mr. POU. Now, as to the peonage business, you have been the counsel for this miners' association?

Mr. GREGG. I have at home at least two affidavits, probably more than that; I can not recall just now, because there were so very, very many cases that it is pretty hard for me to recollect them all. But I can recall two cases, one of them a man who was brought from New York City. He was a shirt-waist maker, and was told he could get a job at one of the works, and that his work would be outside. He was taken out there, and they refused to put him into the mine. They kept him there for some two or three days, along with his partner, and it was impossible for him to get away in the two or three days. Finally one night, probably the fourth night, they broke away from the place and escaped to Greensburg, and were brought to my office and made an affidavit to that effect. There are a great many cases of that character. Herminie—I do not know just exactly who owns that works—

Mr. WILSON. Is not that owned by the Berwynd-White Coal Co.?

Mr. GREGG. It used to be called the Ocean Coal Co. They have an immense stockade built there; a structure which is, I think, 13 or 14 feet high. It is built clear around the company houses and no person is allowed to enter there. Within that stockade is located the office of one of these justices of the peace who has been spoken of—not the one with the portable office, but the other one. Both are named Taylor, but this one is located within that place, and I attempted to go there one time to attend to a matter in connection with these cases, but I was stopped and not permitted to go in there

until I had made my identity known. Of course, that was all on private property, but he had his public office as a justice of the peace down in there.

I do not know whether they have given any instances yet or not, but there is a form of contract or lease that was entered into between the operative and the company before he was permitted to go to work, in which he practically gave up to the company about everything he had in this world. I recollect bringing a suit against the coal company one time for evicting a man, and we lost out on a technicality, but in that lease it was stipulated that he could be evicted at any time upon, I believe, three days' notice; gave the coal company the power to control all of his wages; to take out of his wages the store bills, the coal bills, his house rent; and there were very few men who were able to have any cash at all at the end of the month, especially a man who has much of a family. I think that lease itself was worse than any form of peonage. That was not practiced generally, but was by one company—I think the Ocean Coal Co. But the Westmoreland Coal Co. had no such lease as that; the Keystone Coal Co. had no lease like that; and I do not think the Jamisons had any such lease until recently, though they may have had one recently. But at that time they did not have one.

The CHAIRMAN. Mr. Gregg, what would you say about this committee asking the Postmaster General, Mr. Hitchcock, to appear, and interrogating him about why those conditions exist in regard to the post offices in that part of Pennsylvania?

Mr. GREGG. I would have no objection to him being called, but I presume he would say that probably his attention had never been called to it; and that probably would be true.

The CHAIRMAN. Perhaps it would be better to leave it to you Representatives to submit the matter to him later on.

Mr. GREGG. I do not know how those conditions are now, except what Mrs. Fox told me in regard to the Crow's Nest office.

Mr. HARDWICK. In regard to the peonage, have you made any effort at all to get the Federal grand jury to inquire into the matter?

Mr. GREGG. I never did.

Mr. HARDWICK. You were counsel for them for quite a while?

Mr. GREGG. Yes; in Westmoreland County.

Mr. HARDWICK. Do you mind telling the committee why you did not do that?

Mr. GREGG. There were really two reasons: First, that I was 31 miles distant from Pittsburg; and the second reason was that I considered it, when I reported it to the Pittsburg office, under the control of the general council of the United Mine Workers.

Mr. HARDWICK. And you do not know why he did not do it?

Mr. GREGG. No.

Mr. FOSTER. You do not know that he did not do it?

Mr. GREGG. No.

Mr. POW. You do not know whether he did or not?

Mr. GREGG. No. But I remember reporting this one case in particular to Mr. Feehan's office, and I rather think they took it up with Mr. Brennan. I do not know of anything else I could say. I should be glad to answer any questions that I could, according to the best of my recollection. There was so much of it that it is pretty hard to recall all the instances.

The CHAIRMAN. Mr. Wilson, have you anyone else?

Mr. WILSON. Mr. Chairman, I have no desire to call any additional witnesses at this time. I think we have presented thus far a sufficient amount of evidence to create the presumption that peonage exists there.

The CHAIRMAN. Mr. McCreary is here, and probably will want to submit something before you make your statement. It might be you would want to reply to something he says.

Mr. WILSON. That is true; but I say that, in the absence of any statements being made by the other side offsetting anything that so far has been presented, we have presented sufficient evidence to at least create the presumption that peonage exists there and that there has been interference with the United States mails, and that, growing out of that peonage, there has been a violation of our treaty relations with other countries; that consequently the Federal Government has jurisdiction, and that it only remains for them to determine what, if anything, can be accomplished by having a further investigation. I think we have established the jurisdiction of the Federal Government on those points, and that it remains only for the committee to be satisfied in its own mind that something can be accomplished for the welfare of the people in general by an investigation of this character.

Mr. POU. Assuming that what you say is true, I would be glad to hear what you have to say about the advisability of a further investigation.

Mr. WILSON. I think I stated that very fully in my preliminary statement, Mr. Pou.

Mr. POU. I will read it.

Mr. WILSON. We believe a further investigation of the situation will bring out more evidence relative to peonage, and more conclusive evidence relative to the interference with the United States mails, and more conclusive evidence as to the violation of our treaty relations with other countries; and that it will also bring out the necessity for additional legislation, possibly making it obligatory upon the Postmaster General to have post offices established at points where persons will not be trespassers in going to the post office and not be in violation of some court injunction, and not be in contempt of some court order in going there.

The CHAIRMAN. Do you think an investigation would show a violation of the immigration laws?

Mr. WILSON. As to that we have not any line of evidence that has come to us that shows any violation of the immigration laws. We have not anything that shows that. But there is a condition existing where the coal companies are not only producers of coal, but they are also the owners of the cars by which the coal is transported from the mines into other States. There is a very fine point involved as to whether or not the fact that they are the owners of the cars that transport their coal from the mines where it is produced into other States would not bring them where they would come under the Erdman Act.

The CHAIRMAN. Even if it did?

Mr. WILSON. Then, if it did, and if investigation on the part of the committee brought out that fact, we want to know whether or not influences could be brought to bear, under those circumstances, by which the two parties in this contest can be brought together.

Mr. HARDWICK. If you will pardon a suggestion in aid of your contention, it might do some good along this line. The Erdman Act is admittedly insufficient to meet the situation; it can only be invoked when all the parties consent to it, and it might be possible that this investigation would disclose some facts that would enable some committee to formulate a recommendation in reference to compulsory arbitration on interstate commerce matters.

Mr. WILSON. It might produce something of that character, although I do not want my answer to that question to convey the impression that I am a believer in compulsory arbitration, because at the present time I am not. It might be that evidence produced in that investigation might make me that.

Mr. HARDWICK. Do you not think there are certain kinds of labor disputes in which the general public has so great an interest that there ought to be compulsory arbitration?

Mr. WILSON. No, not at the present time; and I say that because of long experience in the labor movement. I am not a believer in compulsory arbitration. To begin with, compulsory arbitration would necessarily involve compliance with the award. If the award is against the employer, he would be supposed to comply with it; if the award is against the employees, they would be supposed to comply with it. Now, then, there is a distinct dividing line between profit and loss that is a guide to the arbitrators as to how far they can go in dealing with the conditions in relation to the employer. But there is no such distinct dividing line when it applies to the employee. The standard of living, which would be the only basis there as a guide, is a flexible proposition that may be either expanded or compressed. It is indefinite; there is no definite dividing line, such as on the other side between profit and loss. And so, when you submit a question to arbitration where both parties to the arbitration have not the opportunity of laying these safeguards around that arbitration that will protect them in their interests, it is unfair to the employee. That aside from the fact that if it is to be enforced at all, if the decision means a loss to the employer, he would be compelled to operate at a loss until he had nothing left; if it is to be enforced at all against the employee, then he would be compelled to work whether he desires to work or not.

Mr. HARDWICK. That same thing would be true, as far as the employer is concerned, where it results from the decision of a court, would it not?

Mr. WILSON. But there is no decision of a court at the present time that will compel an employer to operate his plant if, in his judgment, he would be operating at a loss?

Mr. HARDWICK. That is true.

Mr. WILSON. That is the condition; and so, while this is all aside from the question involved, yet, nevertheless, the question as to whether some remedial legislation along that line would not come from an investigation is an important phase of the situation. We believe we have established these facts and that an investigation would do some good; that we have the jurisdiction, and that good would follow from it, and that if good would follow from it, then we ought to undertake this entire investigation. I do not know what evidence the other side expects to present, but I hope, Mr. Chairman, that whatever evidence is presented we shall have an opportunity of being heard in rebuttal.

**STATEMENT OF HON. GEORGE D. McCREARY, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF PENNSYLVANIA.**

The CHAIRMAN. Mr. McCreary, the committee will hear what you have to say.

Mr. McCREARY. Mr. Chairman and gentlemen, in view of the statements and specific charges made against the corporations in the Westmoreland coal field, I think it would be advisable if you would consider having the different representatives or some of them, those who are qualified to speak on the subject, come before you to refute the statements and charges that have been made.

Some weeks ago Collier's published a statement in their paper somewhat on these lines, which was called "Pennsylvania's Russia." The president of the Westmoreland Coal Co.—in which I am interested, also in one of the companies that is brought in under condemnation—wrote to Collier's as follows:

WESTMORELAND COAL COMPANY,
OFFICE No. 224 SOUTH THIRD STREET,
Philadelphia, April 3, 1911.

MESSRS. P. F. COLLIER & SON,
Publishers Colliers, No. 416 West Thirteenth Street,
New York City.

DEAR SIR: The article in Collier's Magazine published April 1, 1911, entitled "Pennsylvania's Russia," contains statements in respect to the Westmoreland Coal Co. which are untrue. These statements and our answers thereto are as follows:

Statement 1. That the miners are paid by car measure and that larger cars were supplied for those formerly in use.

Answer. The Westmoreland Coal Co. does not pay by car measure; it pays the miners by weight for the amount of coal mined by each of them.

Statement 2. That the miner works 12 hours a day.

Answer. The miners of the Westmoreland Coal Co. work 10 hours a day.

Statement 3. That where the company store was not already in operation it was built at once and the company-store rule enforced. That they, the operators, would not compel any miner to buy his goods at the company store. He can buy anywhere else he wants, but he can work anywhere else if he does.

Answer. The Westmoreland Coal Co. has no company stores. It has erected on its premises buildings, and rented them to persons in no way connected directly or indirectly, with the company or its officers or employees. The miners are not compelled to deal at these stores, and if they do deal at them the bills are not collectible through the company or deductible from the wages of the miners.

Statement 4. That they (the operators) built houses for the miners at about \$500 apiece and rented them to the miners at \$11 a month, and are making about 26 per cent on the investment. Of course, a miner could rent a house of another landlord, but if he did he could go elsewhere to work.

Answer. The Westmoreland Coal Co. has built houses at an average cost of \$900 and has rented them at \$10 to \$11 a month to miners. It has not required the miners to rent these houses or any other houses belonging to the company and has made no restriction upon their right to live where they please. Many of its miners live in houses owned by them and many in houses rented by them which do not belong to the company.

Statement 5. That they (the operators) paid the sheriff \$185,000 for special deputy sheriffs and that the sheriff retained \$2 a day for each deputy, and did not do his dirty work for nothing.

Answer. The Westmoreland Coal Co. paid the sheriff of Westmoreland County an amount which he represented to be the per diem compensation for each special deputy sheriff. When, during the past summer, the officers of the company ascertained that the sheriff had retained a portion of this money it refused to make any further payments to him and has now pending an action brought by it in Westmoreland County against the sheriff to recover the amount of money illegally retained by him.

Statement 6. That the miners asked for an eight-hour day, the right to organize, and the right to employ their own check weighman.

Answer. No demand or request of any kind was made of this company by the miners prior to their strike, and no demand has been made upon the company since the strike, except that it should operate its mines as closed mines and employ only miners who are members of the United Mine Workers' Labor Union. This company has refused and will continue to refuse to do so.

Statement 7. That they (the operators) have had traitorous strikers under pay, betraying their own people, going into the camps and delivering incendiary speeches and urging the use of bomb and pistol.

Answer. This company has not employed strikers to betray their people and to create disorder and incite to crime, but on the contrary it has, so far as it has been able, done all in its power to preserve the peace and protect its employees and its property.

Statement 8. That the private deputies of the coal company are for the most part thugs and bad characters.

Answer. There are no such private deputies. The persons charged with the preservation of peace in Westmoreland County are coal and iron police, special deputy sheriffs, township constables, and State police.

The Westmoreland Coal Co. desires to place before the public its denial of the facts asserted in said article in respect to it. It is prepared and will welcome the opportunity of submitting proof of the assertions in this letter to any representative of Collier's and to afford him every facility to investigate the accuracy thereof at its office in the city of Philadelphia and at its mines in the county of Westmoreland.

The Westmoreland Coal Co. has operated its mines for over 50 years. Its directors and officers have been connected with it for many years and are well known in the community in which they reside. They have authorized the above statements and join in a request that Collier's shall publish it so that the public may be advised of their reply to the article above referred to.

Yours, truly,

S. PEMBERTON HUTCHINSON,
President.

Mr. McCREARY. After that there was some correspondence as to the reasons for them not publishing it, and they replied that they did not intend to go further into the subject.

Mr. WILSON. Might I ask you this question: If it is not a fact that in the Greensburg part of the Westmoreland field the coal is generally mined by the car?

Mr. McCREARY. I am not familiar with that. I know what it is with ourselves. It is mined by the car, but it is weighed by the ton, and they have their weighmaster, and it is weighed, not by ourselves, but weighed and paid for by the ton.

Mr. WILSON. It is weighed by an agent employed by the company at the mines?

Mr. McCREARY. I will not say that. I think it is weighed by a man not employed by the company.

Mr. WILSON. You do not know positively that the men employ check weighmen to check the weight as taken by the weighmaster employed by the company?

Mr. McCREARY. As I understand it, the weighmaster is the weighmaster representing the men.

Mr. WILSON. No, I think you are mistaken.

Mr. McCREARY. I am not sure as to that.

Mr. WILSON. I think you are wrong.

Mr. FEEHAN. There are no check weighmen at the mines of that company.

Mr. McCREARY. There is a man who is not our representative.

Mr. WILSON. Is he not hired by your manager?

Mr. McCREARY. You would have to ask that question when he comes. That is a detail I would not be thoroughly familiar with.

Mr. WILSON. In the Irwin part of the field, where your company is located, which is very close to the Pittsburg region, is not the rate per ton paid for mining the coal less than is paid in the Pittsburg region?

Mr. McCREARY. I could not answer that question. That is a question that will be answered if the gentlemen see fit to ask the operators or the managers to come before them. They would answer that specifically. That I could not answer; I am not practically in that line.

Mr. GREGG. I think it would be for the benefit of the gentlemen here to get on the record that the Westmoreland Coal Co. operates outside of what is known as the Greensburg district. Your works are located, as I understand it, at Export?

Mr. McCREARY. Export, Manor, Yukon, and Rillton. The Westmoreland Coal Co. is a holding company for the Penn-Gas Coal Co. and the Manor Co. The Manor Co. is at Manor, and the Penn-Gas Coal Co. is at Penn Station.

Mr. GREGG. Yes.

Mr. WILSON. And they operate in the Irwin field rather than in the Greensburg field, do they not?

Mr. McCREARY. I presume that would be so.

Mr. GREGG. Yes; that is correct.

Mr. WILSON. And in the Irwin field they are paid by the ton, while in the Greensburg field they are paid by the car?

Mr. McCREARY. I could not answer you that. But we pay in our field by the ton. The Westmoreland Co. pay by the ton.

Mr. WILSON. But there are no check weighmen there?

Mr. McCREARY. I could not answer you that. The check weighmen would be the men who would represent the miners?

Mr. WILSON. Yes.

Mr. McCREARY. I could not answer you that. The weighman is the weighman in the interest of the miner. I will say this, that in the Westmoreland field 80 per cent of the production is being reduced; the mines are working along with pretty nearly a full complement of men.

Mr. HARDWICK. You think the strike is practically over, then?

Mr. McCREARY. It is with us, outside of the issue that is being raised. We still hear of unionizing, and creating sympathy for these people who are unwilling to work.

Mr. HARDWICK. Your company is the Westmoreland?

Mr. McCREARY. The Westmoreland Coal Co.

Mr. HARDWICK. You are interested in that personally?

Mr. McCREARY. I am; yes, sir; and I am one of the directors of it. But, of course, I am not a practical man, as far as the mining is concerned.

Mr. WILSON. In reading the document, I think you said, in an aside, when reading that part relative to unionizing, that that was the question in dispute.

Mr. McCREARY. That is the question in there.

Mr. WILSON. May I ask you if it has been the policy of your company to refuse to employ union workmen?

Mr. McCREARY. No, sir; but we do not have unions in there, and it is the policy of the company not to have the place unionized, and that is where the issue is to-day.

Mr. WILSON. If they are union men, they must be somewhere else?

Mr. McCREARY. We do not ask whether they are union men or not. These men who are on the strike, and who want to come in and work with us, we are perfectly willing to have back, provided

we have the places for them. But we are not willing to take the men out who stood by us and put the men on who struck; but the orders are to take them in whenever there is any place for them.

Mr. GARRETT. Do you know anything about the discharge of the hundred men?

Mr. McCREARY. No; that was not at our place.

Mr. HARDWICK. Have the strikers, according to your view, or your contention, been guilty of any attempt to injure persons or property during this strike?

Mr. McCREARY. I could not tell you any more than just hearsay. We had to go to the court in order to have ourselves protected, as well as going to this enormous expense.

Mr. HARDWICK. There has been some evidence about big stockades.

Mr. McCREARY. We have no stockades at all that I know of.

Mr. GREGG. That is at Herminie; not their company.

Mr. McCREARY. Greensburg is a large place. How many inhabitants have you?

Mr. GREGG. About 18,000.

Mr. McCREARY. You could not put a stockade around there. Irwin is a city of, I suppose, 8,000.

Mr. GREGG. There are no coal mines in Irwin.

Mr. McCREARY. A good many of the men live there.

Mr. WILSON. It is also true that there are a great many places known as "patches" out around Greensburg?

Mr. McCREARY. I suppose there are "patches." Those patches are owned by the individual men; they are not owned by the companies. A man goes and buys a little place, and that is his home, and then he will walk 1, 2, or 3 miles to his work.

Mr. WILSON. The coal companies own a good many houses in which their employees live, do they not?

Mr. McCREARY. Yes; but not in Greensburg.

Mr. WILSON. Not in Greensburg, but throughout the field?

Mr. McCREARY. In some of the fields; yes, sir.

Mr. WILSON. And when any disturbance arises or a strike is not the usual policy of the company, as a means of forcing the men to resume work, to authorize their eviction from the company houses immediately?

Mr. McCREARY. If there is a strike and they are holding on to the company's houses and other men are willing to come in and the strikers will not give up the houses, then there is an eviction.

Mr. WILSON. As a matter of fact, is it not a part of the general policy to evict them wholesale even though there are no others to take the houses?

Mr. McCREARY. No, not with us. This is the first time we have gone through anything like this. It is not the policy with us. There may be such a policy in some sections, but not with us.

Mr. HARDWICK. In your case have the strikers made any effort to injure or destroy your property?

Mr. McCREARY. We have reason to believe so, because we joined with the Keystone people in asking the courts to give us protection against these marches and against demonstrations. It is perfectly natural where you have in the law of our State, as I understand it—and I think Mr. Wilson will bear me out—put a fence around your property, whether it be a high fence or a low fence, and anyone who

comes in on your property is liable for trespass. That is the only way we have to take care of our properties. There are only two counties in the State in which the counties are liable for damage; one is Philadelphia County and the other is Allegheny County. There is no liability for damage in any other county. Therefore we have to protect ourselves by the deputy sheriffs and by the law.

Mr. HARDWICK. Here is what I am trying to get at—it seems I am not making it plain enough, or you can not answer it.

Mr. McCREARY. Maybe I can not.

Mr. HARDWICK. Did these people make any physical, overt effort to injure your property?

Mr. McCREARY. I could not answer you that question absolutely, because all I would know would be general knowledge. But if you will be good enough to consider the question of having the superintendents, or some one who does know, come down here, they can answer that very specifically.

Mr. HARDWICK. We have not summoned these people. They just came before us and said they wanted to be heard.

Mr. McCREARY. All I ask is that if you really consider it important enough, in view of the statements and specific charges, that you summon those people here and get their story.

Mr. HARDWICK. We did not summon these; they came voluntarily.

Mr. McCREARY. I think the other folks would like to come, too.

The CHAIRMAN. It is not our policy to summon any one. We can not handle those who come voluntarily, there are so many of them.

Mr. HARDWICK. We usually try to hear anybody in reason who wants to be heard.

Mr. McCREARY. I want to say, as a matter of fact, as the chairman may know, that I endeavored to get Mr. Hutchinson, the president, here.

Mr. POU. As a matter of fact, Mr. McCreary, as suggested by Mr. Garrett, this committee has no authority to summon witnesses.

Mr. McCREARY. They would be very glad to come without a summons. I will say that yesterday being a holiday, Mr. Hutchinson was in New York, and I phoned repeatedly, and had one of the officers of the company phoning, but we were not able to reach him at all.

The CHAIRMAN. I informed you of this hearing, and you requested opportunity to be allowed to get some one here from Philadelphia, I believe.

Mr. McCREARY. Yes; from Philadelphia. I think, as a matter of right, that the Jamison and the Keystone people, those who were named, should have a right to come here and state their side of the case.

The CHAIRMAN. You mentioned those on the other side of the case, without calling any names to me.

Mr. McCREARY. Yes, sir.

Mr. WILSON. In calling up the question of damage, do you know of any physical damage done to your company's properties by the strikers?

Mr. McCREARY. No; because I was not on the ground. I know we feared it and went into court, and the court, realizing that our fear was a valid one, issued an injunction. That would be the answer to that question.

Mr. GREGG. Are you a director in the Westmoreland Co.?

Mr. McCREARY. I am; yes, sir.

Mr. GREGG. Was any action taken by the directors of the Westmoreland Coal Co. which had in view the removal of Father Tusick from the Catholic church at Yukon?

Mr. McCREARY. No; I knew nothing at all about that. That was not done by the board of directors. That may have been done, but I know of no effort being made for his removal. I had no more than a general knowledge that a man would have as a director, and that there was a suit instituted against him; that he was sued. That I understood. I say, I had nothing at all to do with that; that was done without my knowledge.

Mr. WILSON. Mr. Smith is your superintendent?

Mr. McCREARY. Yes, sir.

Mr. SPIEGEL. Do you not know as a fact that Mr. Smith, the superintendent of that company, did write to Father Tusick at Yukon and told him that unless he got on the side of the company and influenced the strikers to come to work for the company—in other words, used his influence toward breaking up the strike—that you would have him either unfrocked or removed?

Mr. McCREARY. No, sir; I have no knowledge of that.

Mr. SPIEGEL. I have seen such a letter.

Mr. McCREARY. That would not make me see it.

Mr. SPIEGEL. I asked you whether you had knowledge of that fact.

Mr. McCREARY. No. I know there was feeling in regard to his action, that he was arrested, but I was not a party to it, I will say that.

Mr. SPIEGEL. Do you know anything about the officers employed by your company, the peace officers?

Mr. McCREARY. The officers were employed through the sheriff there. You mean the deputies?

Mr. SPIEGEL. Were they not employed by your company directly through the sheriff?

Mr. McCREARY. Through the sheriff, yes.

Mr. SPIEGEL. They were appointed by the company directly.

Mr. McCREARY. Yes; that statement is made in here.

Mr. SPIEGEL. Do you not know that some of your superintendents are sworn in as deputy sheriffs?

Mr. McCREARY. I do not know any more than in a general way. That is done for the simple reason that they are coal and iron police. They must be men in your employ, and men of good character, and men for whom you will be responsible.

Mr. SPIEGEL. Do you know P. F. McLean, the superintendent of one of your works there?

Mr. McCREARY. No; I do not know him.

Mr. SPIEGEL. You do not know anything of him being convicted of assaulting a miner in the public road, without any provocation?

Mr. McCREARY. No; I never heard of it.

Mr. SPIEGEL. And sentenced by the court?

Mr. McCREARY. No.

Mr. SPIEGEL. I presume none of that stuff comes to your ears at all?

Mr. McCREARY. No; that would not.

Mr. SPIEGEL. I desire to state to this committee that they have alleged that the officers they employ about their works are decent officers, capable of enforcing the law; that a few days ago some of their employees, while the strikers were marching along the public

road, attempted to incite a riot by shooting down into the strikers—that is, into their line of march. Several days after that warrants were sworn out for these alleged inciters of riots, and the warrants were placed in the officers' hands, who were instructed to go up to the Westmoreland Coal Co.'s plant at Irwin and arrest the men who were charged with inciting riots. In the warrants, I think, were descriptions of the men. They were not named. They were strangers around there, not known sufficiently to describe. These men went into the works of the Westmoreland Coal Co., and as soon as they put their feet on the Westmoreland Coal Co.'s private property they were arrested for trespass, in the serving of a legal warrant. A hearing was had before a justice of the peace there in Irwin, and these six officers who went there to execute the warrants were placed in jail and kept there for, I think, a day and a half, when the sheriff heard of it and turned them out.

The CHAIRMAN. Have you said all you wish to say, Mr. McCreary?

Mr. McCREARY. Yes, sir; I am much obliged to the committee.

Mr. SPIEGEL. Also, within the last couple of days they arrested 12 women for serenading on the road and sentenced these women to \$2 fine and costs or 20 days in jail. The women contended that they had not disturbed any person, were not guilty of any violation of the law, but rather than pay that fine of \$2 and costs, which amounted to about \$78, they all went to jail. I went to Judge Doty with the matter and asked him for an appeal. He said he thought it was an outrage that they should put 12 women in jail for a small matter of that kind, and he immediately released them. As soon as they were out, I think that same evening, they were having a little march along the highway, they were rearrested, and I think their hearing is set for either to-night or to-morrow night.

Mr. FOSTER. Before the same portable justice of the peace?

Mr. SPIEGEL. No; this is before a justice of the peace in Irwin. In respect to this article in Collier's entitled "Pennsylvania's Russia," I will say that there are some statements made in that article that are exaggerations; that I did not know that a reporter was there until the article was published. But I can say that I can write an article based on facts, concerning not only the Westmoreland Coal Co., but other coal companies in that section, based upon evidence produced in court, testimony of witnesses, that will put that article of Collier's far in the shade as to atrocious treatment by this coal company.

Mr. WILSON. Mr. Chairman, we could proceed for an indefinite time presenting to you evidence of the atrocities that have been committed in that region. I know, however, that the committee is not particularly anxious to go into that phase of it.

The CHAIRMAN. No; I think we have had enough of it.

Mr. WILSON. I am satisfied you have had enough to convince you that conditions over there are not as harmonious as they ought to be. We have nothing further to present at this time until the gentlemen Mr. McCreary mentions have had an opportunity of being heard here, and I would like to ask Mr. McCreary at this time at what time he expects Mr. Hutchinson and the others who desire to be heard can be present here?

Mr. McCREARY. That would be with the chairman as to when he could have them. I am sure I could get Mr. Hutchinson at any rea-

sonable time, and I think he ought to have his colleagues come down without having a great multitude of witnesses—just the important people come down and go through and refute the statements that have been made by the gentlemen representing the other side.

The CHAIRMAN. I will state that the committee will take into consideration all we have heard, and then, if necessary, I will confer further with Mr. Wilson and Mr. McCreary about the matter.

(Thereupon, at 4.35 o'clock p. m., the committee adjourned.)

APPENDIX.

AFFIDAVITS.

I, John Prau, being duly sworn according to law, doth depose and say that I have been for the past six months a resident of Homestead, Pa.; I live at No. —, Fourth Street. I am one of the men who accompanied Steve Volha and about 30 others on the 5th day of April, 1911, to Jamison No. 3 Works of the Jamison Coal & Coke Co. I am the buddy mentioned by Steve Volha who worked with me and ran away from the works on the 6th day of April, 1911, to Greensburg. I have full knowledge of the contents of the affidavit made by Steve Volha and say that the contents of the same respecting the treatment received by him and a great many of the other people by the policemen of the Jamison Coal & Coke Co. is true.

JOHN (his x mark) PRAU.

We, August Rapsch, of No. 2328 Tustin Street, Pittsburg, Pa., Pete Moros, of No. 2230 Forbes Street, Pittsburg, Pa., and Philip Spickel, of No. 153 Moulton Street, Pittsburg, Pa., being duly sworn according to law, depose and say that on the 6th day of April, 1911, we were in the Central Employment Bureau, of No. 628 Penn Avenue, Pittsburg, Pa., seeking a place of employment; that at such bureau we were informed that lots of work was to be had out at the Jamison No. 3 works of the Jamison Coal Co., at Forbes Road, Westmoreland County, Pa. We asked whether there was any strike or labor trouble at said works and were informed that there was not and that good wages would be paid to us if we desired to work for that company. Under the representations then and there made we decided to go to said Jamison works, whereupon an agent of said employment bureau took us to the Union Depot and bought each of us a ticket for Forbes Road Station, the station at said Jamison No. 3 works. We then left Pittsburg on the 12.40 train, arriving at said Forbes Road Station about 3 o'clock p. m. About 30 other men got off the train at said Forbes Road Station along with us. At said Forbes Road Station one Belo Terronsky and two policemen met us and escorted us to the company's office, where the employees of said company offered to give us checks with numbers on. On the road from the station to the office we noticed a number of policemen standing about, and we then became suspicious that there was some strike or labor trouble on at said works. When the employees offered to give us checks we refused to take them, saying that we believed that a strike existed there; whereupon one of the employees of said company told us to "Get to hell out of here." We were strangers and did not know which way to go. Philip Spickel hesitated a little about going out of the store, whereupon one of the deputies struck him a violent blow in the eye, knocking him down. Then we were led to the door of the store by an officer, who pointed out the road we were to take to get away from the company's property. We followed said road and arrived in Greensburg about 6 o'clock p. m.

We further aver that we were never employed in or about coal mines prior to this time; that we all had formerly worked in the pipe mills in and about Pittsburg; that we have been out of work for some time on account of the closing down of said mills, and we were given to understand that we were to secure outside work at the works of the Jamison No. 3 Coal Co.

AUGUST (his x mark) RAPSCH.
PETE (his x mark) MOROS.
PHILIP (his x mark) SPICKEL.

WESTMORELAND COUNTY, ss:

Before me, the undersigned authority, personally came Della M. Lightcap, who, being duly sworn according to law, deposes and says that the foregoing affidavits were taken down by her in shorthand and later transcribed on the typewriter; that the stenographic notes of said affidavits were signed by the respective affiants thereto and were sworn to by the said affiants in my presence on the dates herein mentioned before J. Q. Truxal, a justice of the peace in and for the borough of Greensburg, county of Westmoreland and State of Pennsylvania.

DELLA M. LIGHTCAP.

Sworn and subscribed to before me this 29th day of May, 1911.

[L. S.]

J. Q. TRUXAL.

(My commission expires May 3, 1913.)

STATE OF PENNSYLVANIA,

County of Westmoreland, ss:

Personally before me the subscriber, a notary public, in and for said county and State, appeared Toney Calamari, of Herminie, county of Westmoreland and State of Pennsylvania, who being by me sworn in due form of law did depose and say, that while he was at Rillton, said county and State, on or about November 20, A. D. 1910, he saw the coal companies' deputies order various people and shove them away from the said Rillton post office.

In witness whereof he has hereunto set his hand and seal this 29th day of May, A. D. 1911.

TONEY CALAMARI. [SEAL.]

Sworn and subscribed before me this day and year above written.

[SEAL.]

ADAM SCHADE, *Notary Public.*

(My commission expires February 9, 1913.)

STATE OF PENNSYLVANIA,

County of Westmoreland, ss:

Personally before me the subscriber, a notary public, in and for said county and State, appeared Thomas Hopkins, of Herminie, Sewickley Township, county of Westmoreland and State of Pennsylvania, who being by me sworn in due form of law did depose and say that on or about November 15, 1910, he had been ordered away from the said Herminie post office by one of the coal companies' deputies while he was waiting for the distribution of the mail.

In witness whereof he has hereunto set his hand and seal this 29th day of May, A. D. 1911.

THOMAS HOPKINS. [SEAL.]

Sworn and subscribed before me this day and year above written.

[SEAL.]

ADAM SCHADE, *Notary Public.*

(My commission expires February 9, 1913.)

STATE OF PENNSYLVANIA,

County of Westmoreland, City of Luxor:

MAY 29, 1911.

I, Steve Fabry, upon my oath, depose and say: That on the 12th day of May, 1911, with others, went to the post office at Luxor, and on my way there was met by one of the State constabulary and one deputy constable by the name of George Shaw, and they would not leave me go into the post office for my mail.

STEVE FABRY.

Sworn and subscribed to before me this 29th day of May, 1911.

[SEAL.]

W. IRWIN HUNTER, *J. P.*

(My commission expires December 6, 1915.)

70 CONDITIONS EXISTING IN WESTMORELAND COAL FIELDS.

STATE OF PENNSYLVANIA,

County of Westmoreland, Village of Luxor:

I, Mike Pasquarett, upon my oath, depose and say, that in the month of April, 1911, while in the post office of the above-named place for the purpose of getting my mail, one Jeremiah McDonhue, a deputy constable employed by the company, told me to get out or he would throw me out, and he forcibly ejected me from the post office.

MIKE PASQUARETT.

Sworn and subscribed to before me this 29th day of May, 1911.

[SEAL.]

W. IRWIN HUNTER, J. P.

(My commission expires December 6, 1915.)

STATE OF PENNSYLVANIA,

County of Westmoreland, City of Luxor:

I, Harry Sullenberger, upon my oath depose and say, that on the 12th day of May, 1911, when entering the post office at Luxor I was met on the porch by a company deputy by the name of George Shaw, who forcibly restrained me from entering the post office by violently taking hold of my arm, pulling me back out of the door that I had entered, addressing me in vulgar, obscene language, and intimidating me through force of arms. I was compelled to leave the post office without my mail.

HARRY SULLENBERGER.

Sworn and subscribed to before me this 29th day of May, 1911.

[SEAL.]

W. IRWIN HUNTER, J. P.

(My commission expires December 6, 1915.)

STATE OF PENNSYLVANIA,

County of Westmoreland, City of Luxor:

I, Joe Cushion, upon my oath depose and say, that on or about the 20th day of March, 1911, I had entered the post office at the above-named place for the purpose of getting my mail and was forcibly ejected from the same by one George Shaw, a deputy constable employed by the coal company.

JOE CUSHION.

Sworn and subscribed to before me this 29th day of May, 1911.

[SEAL.]

W. IRWIN HUNTER, J. P.

(My commission expires December 6, 1915.)

STATE OF PENNSYLVANIA,

County of Westmorland, village of Luxor:

I, Joseph Miller, a citizen of the above State and county, and also a patron of the mail service at the Luxor post office, where I get my mail, was restrained from completing my journey to the post office, being arrested by deputies in the employ of the Jamison Coke & Coal Co., who instructed me that I would not be permitted to go to the post office. This arrest occurred in September, 1910, and I was not permitted to get my mail, although I was expecting mail of considerable personal value to me. After my arrest I was taken by the company deputies to the office of the said company, and there I was subjected to indignities, vile, obscene, and abusive language; also that I would not be permitted to travel on the public road.

JOSEPH MILLER.

Sworn and subscribed to before me this 29th day of May, 1911.

[SEAL.]

W. IRWIN HUNTER, J. P.

My commission expires December 6, 1915.

COMMONWEALTH OF PENNSYLVANIA,
County of Westmoreland, ss:

Personally appeared before me, a justice of the peace in and for the said county and State, the undersigned subscribers, formerly employed by the Atlantic Crushed Coke Co., who, being duly sworn according to law, depose and saith that when the strikers arrived upon their camping ground to hold a meeting on March 19, 1911, as near as they can recollect, Supt. W. A. Swift, of above-named company, drove, by force of arms, these then employees back upon the company's property and kept them by force from leaving said company's property in any manner until after all the other people had departed for home and the meeting was over.

LEM SMOL (his x mark). [SEAL.]
JOHN O'LOUGHLIN. [SEAL.]
METRO GRUBISH. [SEAL.]

Sworn to and subscribed before me this 29th day of May, A. D. 1911.

[SEAL.]

JAMES PRICE,
Justice of the Peace.

My commission expires first Monday in December, 1911.

COMMONWEALTH OF PENNSYLVANIA,
County of Westmoreland, ss:

Personally appeared before me, a justice of the peace in and for said county and State, the undersigned subscriber, who being duly sworn according to law depose and saith that the men working at Superior No. 2, of the Latrobe Connelsville Coal & Coke Co., are afraid to come outside the enclosure because of a bad negro character, a deputy, who threatens them with bodily harm. That the mining laws are constantly being violated by the men working at this mine, they are blasting coal in the solid and using any amount of explosives they please.

JOHN FRANZONI. [SEAL.]

Sworn to and subscribed before me this 29th day of May, A. D. 1911.

[SEAL.]

JAMES PRICE, J. P.

(My commission expires first Monday in December, 1911.)

COMMONWEALTH OF PENNSYLVANIA,
County of Westmoreland, ss.

Personally appeared before me, a justice of the peace, in and for said county and State, the undersigned subscribers, who being duly sworn according to law, depose and saith that they were forcibly held up on the public highway of Derry Township, on August 15, 1910, by State constables and deputy sheriffs and brutally and unlawfully beaten by said constables and deputies.

That they, the subscribers, were arrested by the constables and held for court on a charge of assault and battery.

That they were found not guilty by the court and forced to pay the costs of action.

NICK PRATI [SEAL].
JOHN KAHL [SEAL].

Sworn to and subscribed before me this 29th day of May, A. D. 1911.

[SEAL.]

JAMES PRICE, J. P.

My commission expires first Monday in December, 1911.

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